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LEGISLATIVE HISTORY

Public Law 310—81st Congress

Chapter 588—1st Session

H. R. 2944

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CIVIL SERVICE RETIREMENT ACT AMENDMENT. Amends the Civil Service Retirement Act so as to provide survivorship benefits for widows or widowers of persons retiring under the Act, such benefit to be designated by the employee at the time of retirement. The survivorship benefit shall be equal to 50% of the life annuity of the employee whose annuity shall be reduced by 5% up to \$1500 of such annuity and 10% of any amount over \$1500, to be further reduced by 3/4 of 1% for each year the husband or wife is under age 60 at the date of employee's retirement, the total reduction not to exceed 25% of the life annuity.

INDEX AND SUMMARY OF HISTORY ON H. R. 2944

February 22, 1949	H. R. 2944 was introduced by Rep. Murray and was referred to the House Committee on Post Office and Civil Service. Print of the bill as introduced.
March 21, 1949	House Committee reported H. R. 2944 without amendment. House Report 274. Print of the bill as reported.
April 4, 1949	H. R. 2944 passed House without amendment.
April 5, 1949	Print of the bill as referred to the Senate Committee.
July 15, 1949	Senate Committee reported H. R. 2944 without amendment. Senate Report 686. Print of the bill as reported.
July 20, 1949	H. R. 2944 was recommitted to the Senate Committee.
August 2, 1949	Senate Committee reported H. R. 2944 with amendment. Senate Report 830. Print of the bill as reported.
August 9, 1949	H. R. 2944 passed Senate as reported.
August 11, 1949	House conferees appointed.
August 21, 1949	Senate conferees appointed.
September 23, 1949	Senate agreed to the conference report.
September 26, 1949	House received the conference report. House Rept. 1339.
September 29, 1949	House agreed to the conference report.
September 30, 1949	Approved. Public Law 310.

81ST CONGRESS
1ST SESSION

H. R. 2944

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 22, 1949

Mr. MURRAY of Tennessee introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 4 (b) of the Civil Service Retirement Act of
4 May 29, 1930, as amended, is amended to read as follows:
5 “(b) Any officer or employee retiring under the pro-
6 visions of section 1, 2, or 6 of this Act may, at the time of
7 retirement, elect to receive in lieu of the life annuity de-
8 scribed herein a reduced annuity and an annuity after death
9 payable to his or her surviving widow or widower designated
10 by such officer or employee at time of retirement equal to

1 50 per centum of such life annuity. The annuity of the
2 officer or employee making such election shall be equal to
3 90 per centum of such life annuity, reduced by three-fourths
4 of 1 per centum of such life annuity for each full year, if
5 any, the designated wife or husband is under the age of sixty
6 at the date of such retirement, but shall in no case be less
7 than 75 per centum of such life annuity. The annuity of
8 such widow or widower shall begin on the first day of the
9 month in which the death of the officer or employee occurs
10 or the first day of the month following the widow's or
11 widower's attainment of age fifty, whichever is the later,
12 and such annuity or any right thereto shall terminate upon
13 his or her death or remarriage."

A BILL

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such Act.

By Mr. MURRAY of Tennessee

FEBRUARY 22, 1949

Referred to the Committee on Post Office and Civil Service

AMENDING THE CIVIL SERVICE RETIREMENT ACT OF
MAY 29, 1930

MARCH 21, 1949.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. McCARTHY, from the Committee on Post Office and Civil Service, submitted the following

R E P O R T

[To accompany H. R. 2944]

The Committee on Post Office and Civil Service, to whom was referred the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The purpose of this bill is to provide survivorship benefits for widowers of married female employees who retire under section 1, 2, or 6 of the Civil Service Retirement Act of May 29, 1930, as amended.

Subsection 4 (b) of the Civil Service Retirement Act, as amended, February 28, 1948, permits a married male employee upon retirement under section 1, 2, or 6 of the act to elect to receive throughout his lifetime a reduced annuity with a continuing annuity after his death payable to his widow. The bill proposes to amend subsection 4 (b) by permitting the same survivorship benefits for widowers as are now provided for widows.

At a hearing before the committee on March 14, representatives of the Civil Service Commission stated that the Commission was favorable to the enactment of this legislation, and pointed out that no additional cost is involved.

Representatives of the American Federation of Government Employees, Government Employees' Council, National Federation of Federal Employees, Retirement Federation of Civil Service Employees of the United States Government, National Association of Retired Federal Employees, National Federation of Post Office Clerks, Na-

2 AMEND CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930

tional Association of Post Office Custodial Employees, United National Association of Post Office Clerks and the National Association of Letter Carriers were unanimous in their approval of the legislation.

The committee believes that the present Civil Service Retirement Act is discriminatory in not allowing the same survivorship benefits for widowers as are now allowed for widows. Also, it was pointed out at the hearing that subsection 4 (c) of the Civil Service Retirement Act authorizes an unmarried employee (male or female), retiring under section 1 or 2, to elect a reduced annuity and designate a survivor annuitant. Thus, at the present time a prospective beneficiary of an unmarried employee stands in a better position than the husband of a married female employee.

This bill in reality is in the nature of a perfecting amendment to the Civil Service Retirement Act. The report of the Civil Service Commission dated March 11, 1949, with respect to this legislation is as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington 25, D. C., March 11, 1949.

Hon. TOM MURRAY,

*Chairman, Committee on Post Office and Civil Service,
House of Representatives.*

DEAR MR. MURRAY: I have your letter of March 1, 1949, transmitting copies of H. R. 2944, a bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, and requesting the comments of the Commission thereon.

By letter of February 28, 1949, the Commission addressed a letter to the Speaker of the House of Representatives as follows:

"The Commission desires to present to the Eighty-first Congress a proposal to correct an inequity existing in the present retirement law.

"Section 4 (b) of the Civil Service Retirement Act, as amended February 28, 1948, permits a married male employee upon retirement under section 1, 2, or 6 of the act to elect to receive throughout his lifetime a reduced annuity with a continuing annuity after his death payable to his widow. Under this plan, the annuity otherwise due the retiring employee is reduced by 10 percent, plus three-fourths of 1 percent for each full year (if any) the wife is then under age 60, the total reduction not to exceed 25 percent in any case. Section 4 (c) authorizes, with certain restrictions, an unmarried employee (male or female) retiring under section 1 or 2 of the act to elect a reduced annuity and designate a survivor annuitant.

"It will therefore be noted that a married female employee may not name a survivor annuitant. This, the Commission feels, is discriminatory. Instances are not rare in which the wife is the sole or main support of the family because of incapacity of the husband. Aside from this latter aspect, which is not a determining factor in existing law, the female employee, being subject to the same deduction and other obligations as the male employee, should be in a position to purchase, by a reduction in her own annuity, a benefit for her husband if she so desires.

"Draft of bill to effectuate this purpose is quoted below:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 4 (b) of the Civil Service Retirement Act of May 29, 1930, as amended, is hereby amended to read as follows:

"(b) Any officer or employee retiring under the provisions of section 1, 2, or 6 of this Act may at the time of retirement elect to receive in lieu of the life annuity described herein a reduced annuity and an annuity after death payable to his or her surviving widow or widower designated by the officer or employee at time of retirement equal to 50 per centum of such life annuity. The annuity of the officer or employee making such election shall be equal to 90 per centum of such life annuity, reduced by three-fourths of 1 per centum of such life annuity for each full year, if any, the designated wife or husband is under the age of sixty at the date of such retirement, but shall in no case be less than 75 per centum of such life annuity. The annuity of such widow or widower shall begin on the first day of the month in which the death of the

annuitant occurs or the first day of the month following the widow's or widower's attainment of age fifty, whichever is the later, and such annuity or any right thereto shall terminate upon death or remarriage of such widow or widower.'

"The Commission, therefore, recommends that this proposal be introduced in the House of Representatives, and that favorable action be taken thereon.

"The Bureau of the Budget advises that there would be no objection to the submission of this proposal for the consideration of the Congress."

With a few changes in wording not material to the substance of the proposal, H. R. 2944 embodies the suggestions made to the Speaker. Accordingly, the Commission recommends the enactment of H. R. 2944 into law.

By direction of the Commission:

Very sincerely yours,

FRANCES PERKINS, *Acting President.*

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 4 (B) OF THE CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930, AS AMENDED

SEC. 4. (a) * * *.

(b) Any officer or employee [], if a husband,] retiring under the provisions of section 1, 2, or 6 of this Act [may] *may*, at the time of [his retirement] *retirement*, elect to receive in lieu of the life annuity described herein a reduced annuity and an annuity after [this] death payable to his *or her* surviving widow *or widower* designated by [him] *such officer or employee* at time of retirement equal to 50 per centum of such life annuity. The annuity of the officer or employee making such election shall be equal to 90 per centum of such life annuity, reduced by three-fourths of 1 per centum of such life annuity for each full year, if any, [his wife] *the designated wife or husband* is under the age of sixty at the date of such retirement, but shall in no case be less than 75 per centum of such life annuity. The annuity of such widow *or widower* shall begin on the first day of the month in which the death of the [husband] *officer or employee* occurs or the first day of the month following the widow's *or widower's* attainment of age fifty, whichever is the later, and such annuity or any right thereto shall terminate upon *his or her* death or remarriage.



Union Calendar No. 92

81ST CONGRESS
1ST SESSION

H. R. 2944

[Report No. 274]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 22, 1949

Mr. MURRAY of Tennessee introduced the following bill; which was referred to the Committee on Post Office and Civil Service

MARCH 21, 1949

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such Act.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That section 4 (b) of the Civil Service Retirement Act of
- 4 May 29, 1930, as amended, is amended to read as follows:
- 5 “(b) Any officer or employee retiring under the pro-
- 6 visions of section 1, 2, or 6 of this Act may, at the time of
- 7 retirement, elect to receive in lieu of the life annuity de-
- 8 scribed herein a reduced annuity and an annuity after death
- 9 payable to his or her surviving widow or widower designated
- 10 by such officer or employee at time of retirement equal to

1 50 per centum of such life annuity. The annuity of the
2 officer or employee making such election shall be equal to
3 90 per centum of such life annuity, reduced by three-fourths
4 of 1 per centum of such life annuity for each full year, if
5 any, the designated wife or husband is under the age of sixty
6 at the date of such retirement, but shall in no case be less
7 than 75 per centum of such life annuity. The annuity of
8 such widow or widower shall begin on the first day of the
9 month in which the death of the officer or employee occurs
10 or the first day of the month following the widow's or
11 widower's attainment of age fifty, whichever is the later,
12 and such annuity or any right thereto shall terminate upon
13 his or her death or remarriage."

81ST CONGRESS
1ST SESSION

H. R. 2944

[Report No. 274]

A BILL

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such Act.

By Mr. MURRAY of Tennessee

FEBRUARY 22, 1949

Referred to the Committee on Post Office and Civil Service

MARCH 21, 1949

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

through the same from east to west and from south to north at the distance of one mile from each other, and marking corners at the distance of each half mile. The sections shall be numbered, respectively, beginning with the number one in the northeast section and proceeding west and east alternately through the township with progressive numbers, until the thirty-six be completed."

SEC. 2. Section 2410, Revised Statutes (43 U. S. C., sec. 770), is amended to read as follows:

"The Secretary of the Interior may, by regulation, provide that departures may be made from the system of rectangular surveys whenever it is not feasible or economical to extend the rectangular surveys in the regular manner or whenever such departure would promote the beneficial use of lands."

SEC. 3. Section 1 of the act of April 13, 1926, entitled "An act to authorize a departure from the rectangular system of surveys of homestead claims in Alaska, and for other purposes" (44 Stat. 243; 48 U. S. C., sec. 379), is hereby amended by deleting the following words: "and the provisions of the Act of June 28, 1918 (40 Stat. L. 632), insofar as they require that surveys executed thereunder, without expense to the claimant, must follow the general system of the public land surveys."

SEC. 4. Section 2408, Revised Statutes (43 U. S. C., sec. 768), and section 2409, Revised Statutes (43 U. S. C., sec. 769), are hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAYMENTS TO RETIRED OFFICERS OF NAVAL RESERVE

The Clerk called the bill (S. 278) to prevent retroactive checkage of payments erroneously made to certain retired officers of the Naval Reserve, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the term "Reserve components" as used in section 6 of the act approved February 21, 1946 (60 Stat. 27; 34 U. S. C. 410b), shall include officers on the honorary retired list of the Naval Reserve or Marine Corps Reserve established by section 309 of the Naval Reserve Act of 1938, as amended (34 U. S. C. 855h).

SEC. 2. This act shall be effective from February 21, 1946.

With the following committee amendment:

Page 1, line 8, after the parentheses, insert ", and that the term 'Naval and Marine Corps Reserve' as used in subsection (b) of section 301 of Public Law 810 shall include officers and enlisted personnel on the honorary retired list of the Naval Reserve or Marine Corps Reserve established by section 309 of the Naval Reserve Act of 1938, as amended (34 U. S. C. 855h)."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF CERTAIN LOST, ABANDONED, OR UNCLAIMED PERSONAL PROPERTY IN POSSESSION OF TREASURY DEPARTMENT, ETC.

The Clerk called the bill (S. 629) to authorize the disposition of certain lost,

abandoned, or unclaimed personal property coming into the possession of the Treasury Department, the Department of the Army, the Department of the Navy, or the Department of the Air Force, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, are hereby authorized to dispose of, by sale or otherwise, 1 year after date of receipt, all lost, abandoned, or unclaimed personal property which is now or may hereafter come into the possession, custody, or control of the Treasury Department, the Department of the Army, the Department of the Navy, or the Department of the Air Force, as the case may be: *Provided*, That an effort shall be made to determine and locate the owner or owners thereof, or their legal representatives, and that in all cases where the owner thereof, or legal representative, has been determined the property shall not be sold or otherwise disposed of for a period of 90 days after written notice has been sent to his last known address.

SEC. 2. The net proceeds received from the sale of any such property by the Treasury Department, the Department of the Army, the Department of the Navy, or the Department of the Air Force shall be covered into the Treasury as miscellaneous receipts.

SEC. 3. Claims for the net proceeds, if any, of such property so disposed of may be filed with the General Accounting Office by the rightful owners or their legal representatives at any time prior to the expiration of 5 years from the date of the disposal of the property, and, if not so filed, are barred from being acted on by either courts or the accounting officers.

SEC. 4. The Secretary of the Treasury, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, are authorized to prescribe such rules and regulations as may be necessary to carry out the purposes and provisions of this act.

SEC. 5. Any property coming within the provisions of this act which may be delivered to the Soldiers' Home under regulations prescribed by the Secretary of the Army or the Secretary of the Air Force shall be limited to papers of value, sabers, insignia, decorations, medals, watches, trinkets, manuscripts, or other articles valuable chiefly as keepsakes: *Provided*, That if the rightful owners, their heirs, next of kin, or their legal representatives should establish their right to any such property at any time prior to the expiration of 2 years from the date of the receipt thereof by the Soldiers' Home, they shall be granted possession thereof.

or owners thereof, his or their heirs or next of kin, or his or their legal representative or representatives, and that in all cases where the owner or owners thereof, or his or their legal representative or representatives, his or their heirs or next of kin, has or have been determined, the property shall not be sold or otherwise disposed of prior to the expiration of a period of 120 days after written notice by registered mail giving time and place of intended sale or other disposition thereof has been sent to his or their last-known address.

SEC. 2. The net proceeds received from the sale of any such property by the Treasury Department, the Department of the Army, the Department of the Navy, or the Department of the Air Force shall be covered into the Treasury as miscellaneous receipts.

SEC. 3. Claims for the net proceeds, if any, of such property so disposed of may be filed with the General Accounting Office by the rightful owners, their heirs or next of kin, or their legal representatives at any time prior to the expiration of 5 years from the date of the disposal of the property and, if so filed, the General Accounting Office shall allow or disallow the claim. If claims are not filed prior to the expiration of 5 years from the date of the disposal of the property, they shall be barred from being acted on by the courts or the General Accounting Office.

SEC. 4. The Secretary of the Treasury, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, are authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this act.

SEC. 5. Any property coming within the provisions of this act which may be delivered to the Soldiers' Home under regulations prescribed by the Secretary of the Army or the Secretary of the Air Force shall be limited to papers of value, sabers, insignia, decorations, medals, watches, trinkets, manuscripts, or other articles valuable chiefly as keepsakes: *Provided*, That if the rightful owners, their heirs, next of kin, or their legal representatives should establish their right to any such property at any time prior to the expiration of 2 years from the date of the receipt thereof by the Soldiers' Home, they shall be granted possession thereof.

SEC. 6. This act shall not be construed as amending or repealing the act of March 29, 1918 (40 Stat. 499); article 112 of section 1, chapter II, of the act of June 4, 1920 (41 Stat. 809); the act of February 21, 1931 (46 Stat. 1203); the act of December 28, 1945 (59 Stat. 662), as amended; or the act of August 2, 1946 (60 Stat. 846-847), as amended."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACQUISITION OR USE OF PUBLIC LANDS BY STATES, COUNTIES, OR MUNICIPALITIES FOR RECREATIONAL PURPOSES

The Clerk called the bill (H. R. 2821) to amend the act approved June 14, 1926 (44 Stat. 741; 43 U. S. C., sec. 869), entitled "An act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes," to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved June 14, 1926 (44 Stat. 741; 43 U. S. C., sec. 869), entitled "An act to authorize acquisition or use of public lands by the States, counties, or municipalities for recreational

"purposes" is hereby amended to read as follows:

"SECTION 1. The Secretary of the Interior may, in the manner prescribed by this act, dispose of any public lands to a State, Territory, county, municipality, or other State, Territorial, or Federal instrumentality or political subdivision for any public purposes, or to a nonprofit corporation or nonprofit association for any recreational or any public purpose consistent with its articles of incorporation or other creating authority before the land may be disposed of under this act for a purpose other than a recreational purpose, it must be shown to the satisfaction of the Secretary that the land is to be used for an established or definitely proposed project.

"SEC. 2. The Secretary of the Interior may (a) sell such land to the State, Territory, county, or other State, Territorial, or Federal instrumentality or political subdivision in which the lands are situated, or to a nearby municipal corporation in the same State or Territory, for the purpose for which the land has been classified, at a price to be fixed by the Secretary, through appraisal or otherwise; (b) lease such land to the State, Territory, county, or other State, Territorial, or Federal instrumentality or political subdivision in which the lands are situated, or to a nearby municipal corporation in the same State or Territory, for the purpose for which the land has been classified, at a reasonable annual rental, for a period up to 20 years, and, at the discretion of the Secretary, with a privilege of renewal for a like period, or (c) lease such land to a nonprofit corporation or nonprofit association at a reasonable annual rental for a period up to 20 years, and, at the discretion of the Secretary, with a privilege of renewal for a like period. Each patent or lease so issued shall contain reservation to the United States of all mineral deposits in the lands conveyed or leased and of the right to mine and remove the same, under regulations to be established by the Secretary. Each lease shall contain a provision for its termination upon a finding by the Secretary that the land has not been used by the lessee for the purpose specified in the lease for such period, not over 5 years, as may be specified in the lease, or that such land or any part thereof is being devoted to another use.

"SEC. 3. All provisions for reversion of title to the United States contained in patents heretofore issued under said act of June 14, 1926, are hereby canceled.

"SEC. 4. The act of September 30, 1890, entitled 'An act to authorize entry of the public lands by incorporated cities and towns for cemetery and park purposes,' and the act of October 17, 1940, entitled 'An act to authorize the Secretary of the Interior to sell or lease for park or recreational purposes, and to sell for cemetery purposes, certain public lands in Alaska,' are hereby repealed."

With the following committee amendments:

Page 2, line 8, strike out the words "authority before" and insert "authority. Before".

Page 3, line 9, after the word "under", insert "applicable laws and".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CIVIL SERVICE RETIREMENT ACT

The Clerk called the bill (H. R. 997) to extend the benefits of section 1 (c) of the Civil Service Retirement Act of May 29, 1930, as amended, to employees who were involuntarily separated during the period from July 1, 1945, to July 1, 1947,

after having rendered 25 years of service but prior to attainment of age 55.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. CUNNINGHAM]?

There was no objection.

LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

The Clerk called the bill (H. R. 1408) to declare that the United States holds certain lands in trust for the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of the State of Wisconsin.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title to the lands and interest in lands, together with the improvements thereon and proceeds from rents and sales therefrom, which have been acquired by the United States under authority of title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), and subsequent acts, lying and situated within the Lac Courte Oreilles Reservation, Wis., administrative jurisdiction over which has heretofore been transferred by the President from the Secretary of Agriculture to the Secretary of the Interior by Executive Order No. 7868, dated April 15, 1938, is hereby declared to be held in trust by the United States of America for the use and benefit of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of the State of Wisconsin, and the Secretary of the Interior is hereby authorized to proclaim such lands as an addition to the Lac Courte Oreilles Indian Reservation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PETERSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the bill H. R. 1408.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PETERSON. The following statement is authorized by the Committee on Public Lands:

The committee is unanimously agreed that favorable action on this bill will not set a precedent with respect to other land held under authority of title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115).

CIVIL SERVICE RETIREMENT ACT

The Clerk called the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4 (b) of the Civil Service Retirement Act of May 29,

1930, as amended, is amended to read as follows:

"(b) Any officer or employee retiring under the provisions of sections 1, 2, or 6 of this act may, at the time of retirement, elect to receive in lieu of the life annuity described herein a reduced annuity and an annuity after death payable to his or her surviving widow or widower designated by such officer or employee at time of retirement equal to 50 percent of such life annuity. The annuity of the officer or employee making such election shall be equal to 90 percent of such life annuity, reduced by three-fourths of 1 percent of such life annuity for each full year, if any, the designated wife or husband is under the age of 60 at the date of such retirement, but shall in no case be less than 75 percent of such life annuity. The annuity of such widow or widower shall begin on the first day of the month in which the death of the officer or employee occurs or the first day of the month following the widow's or widower's attainment of age 50, whichever is the later, and such annuity or any right thereto shall terminate upon his or her death or remarriage."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN HISTORIC PROPERTIES TO THE STATE OF GEORGIA

The Clerk called the bill (H. R. 3274) to provide for the conveyance of certain historic properties to the State of Georgia, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to convey to the State of Georgia, without consideration, for public use as a part of the park system of that State, and under such terms and conditions as the Secretary may deem advisable, the following described historic properties and improvements thereon:

(a) The Atlanta Campaign National Historic Site comprising the "Ringgold Gap Site," the "Rocky Face Ridge Site," the "Resaca Site," the "Cassville Site," and the "New Hope Church Site," aggregating a total of approximately 15 acres of land, which are described in the order dated October 13, 1944 (9 F. R. 12868), of the Acting Secretary of the Interior;

(b) The site, comprising approximately 1 acre of land, and improvements thereon, known as the New Echota Marker property, established pursuant to the act of May 28, 1930 (46 Stat. 431).

With the following committee amendment:

Page 1, line 10, strike out the word "Fact" and insert the word "Face."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE FEDERAL TORT CLAIMS ACT

The Clerk called the bill (H. R. 779) to amend the Federal Tort Claims Act to increase the time within which claims under such act may be presented to Federal agencies or prosecuted in the United States district courts.

Calendar No. 688

81ST CONGRESS }
1st Session }

SENATE

. { REPORT
No. 686

AMENDING THE CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930

JULY 15 (legislative day, JUNE 2), 1949.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, submitted the following

R E P O R T

[To accompany H. R. 2944]

The Committee on Post Office and Civil Service, to whom was referred the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The purpose of this bill is to provide survivorship benefits for widowers of married female employees who retire under section 1, 2, or 6 of the Civil Service Retirement Act of May 29, 1930, as amended.

Subsection 4 (b) of the Civil Service Retirement Act, as amended, February 28, 1948, permits a married male employee upon retirement under section 1, 2, or 6 of the act to elect to receive throughout his lifetime a reduced annuity with a continuing annuity after his death payable to his widow. The bill proposes to amend subsection 4 (b) by permitting the same survivorship benefits for widowers as are now provided for widows.

For a more detailed analysis, see House Report 274, attached.

At a hearing before the committee on March 14, representatives of the Civil Service Commission stated that the Commission was favorable to the enactment of this legislation, and pointed out that no additional cost is involved.

Representatives of the American Federation of Government Employees, Government Employees' Council, National Federation of Federal Employees, Retirement Federation of Civil Service Employees of the United States Government, National Association of Retired Federal Employees, National Federation of Post Office Clerks, National Association of Post Office Custodial Employees, United National Association of Post Office Clerks, and the National Association of Letter Carriers were unanimous in their approval of the legislation.

2 AMEND CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930

The committee believes that the present Civil Service Retirement Act is discriminatory in not allowing the same survivorship benefits for widowers as are now allowed for widows. Also, it was pointed out at the hearing that subsection 4 (c) of the Civil Service Retirement Act authorizes an unmarried employee (male or female), retiring under section 1 or 2, to elect a reduced annuity and designate a survivor annuitant. Thus, at the present time a prospective beneficiary of an unmarried employee stands in a better position than the husband of a married female employee.

This bill in reality is in the nature of a perfecting amendment to the Civil Service Retirement Act. The report of the Civil Service Commission dated March 11, 1949, with respect to this legislation is as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington 25, D. C., March 11, 1949.

Hon. TOM MURRAY,

Chairman, Committee on Post Office and Civil Service,
House of Representatives.

DEAR MR. MURRAY: I have your letter of March 1, 1949, transmitting copies of H. R. 2944, a bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, and requesting the comments of the Commission thereon.

By letter of February 28, 1949, the Commission addressed a letter to the Speaker of the House of Representatives as follows:

"The Commission desires to present to the Eighty-first Congress a proposal to correct an inequity existing in the present retirement law.

"Section 4 (b) of the Civil Service Retirement Act, as amended February 28, 1948, permits a married male employee upon retirement under section 1, 2, or 6 of the act to elect to receive throughout his lifetime a reduced annuity with a continuing annuity after his death payable to his widow. Under this plan, the annuity otherwise due the retiring employee is reduced by 10 percent, plus three-fourths of 1 percent for each full year (if any) the wife is then under age 60, the total reduction not to exceed 25 percent in any case. Section 4 (c) authorizes, with certain restrictions, an unmarried employee (male or female) retiring under section 1 or 2 of the act to elect a reduced annuity and designate a survivor annuitant.

"It will therefore be noted that a married female employee may not name a survivor annuitant. This, the Commission feels, is discriminatory. Instances are not rare in which the wife is the sole or main support of the family because of incapacity of the husband. Aside from this latter aspect, which is not a determining factor in existing law, the female employee, being subject to the same deduction and other obligations as the male employee, should be in a position to purchase, by a reduction in her own annuity, a benefit for her husband if she so desires.

"Draft of bill to effectuate this purpose is quoted below:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 4 (b) of the Civil Service Retirement Act of May 29, 1930, as amended, is hereby amended to read as follows:

"(b) Any officer or employee retiring under the provisions of section 1, 2, or 6 of this Act may at the time of retirement elect to receive in lieu of the life annuity described herein a reduced annuity and an annuity after death payable to his or her surviving widow or widower designated by the officer or employee at time of retirement equal to 50 per centum of such life annuity. The annuity of the officer or employee making such election shall be equal to 90 per centum of such life annuity, reduced by three-fourths of 1 per centum of such life annuity for each full year, if any, the designated wife or husband is under the age of sixty at the date of such retirement, but shall in no case be less than 75 per centum of such life annuity. The annuity of such widow or widower shall begin on the first day of the month in which the death of the annuitant occurs or the first day of the month following the widow's or widower's attainment of age fifty, whichever is the later, and such annuity or any right thereto shall terminate upon death or remarriage of such widow or widower."

"The Commission, therefore, recommends that this proposal be introduced in the House of Representatives, and that favorable action be taken thereon.

"The Bureau of the Budget advises that there would be no objection to the submission of this proposal for the consideration of the Congress."

With a few changes in wording not material to the substance of the proposal, H. R. 2944 embodies the suggestions made to the Speaker. Accordingly, the Commission recommends the enactment of H. R. 2944 into law.

By direction of the Commission:

Very sincerely yours,

FRANCES PERKINS, *Acting President.*

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

"SECTION 4 (B) OF THE CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930, AS AMENDED

"SEC. 4. (a) * * *.

"(b) Any officer or employee, if a husband, retiring under the provisions of section 1, 2, or 6 of this Act [may] *may*, at the time of [his retirement] *retirement*, elect to receive in lieu of the life annuity described herein a reduced annuity and an annuity after [his] death payable to his or her surviving widow or widower designated by [him] such officer or employee at time of retirement equal to 50 per centum of such life annuity. The annuity of the officer or employee making such election shall be equal to 90 per centum of such life annuity, reduced by three-fourths of 1 per centum of such life annuity for each full year, if any, [his wife] the designated wife or husband is under the age of sixty at the date of such retirement, but shall in no case be less than 75 per centum of such life annuity. The annuity of such widow or widower shall begin on the first day of the month in which the death of the [husband] officer or employee occurs or the first day of the month following the widow's or widower's attainment of age fifty, whichever is the later, and such annuity or any right thereto shall terminate upon his or her death or remarriage."



Calendar No. 688

81ST CONGRESS
1ST SESSION

H. R. 2944

[Report No. 686]

IN THE SENATE OF THE UNITED STATES

APRIL 5 (legislative day, MARCH 18), 1949

Read twice and referred to the Committee on Post Office and Civil Service

JULY 15 (legislative day, JUNE 2), 1949

Reported by Mr. JOHNSTON of South Carolina, without amendment

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 4 (b) of the Civil Service Retirement Act of
4 May 29, 1930, as amended, is amended to read as follows:
5 “(b) Any officer or employee retiring under the pro-
6 visions of section 1, 2, or 6 of this Act may, at the time of
7 retirement, elect to receive in lieu of the life annuity de-
8 scribed herein a reduced annuity and an annuity after death
9 payable to his or her surviving widow or widower designated
10 by such officer or employee at time of retirement equal to
11 50 per centum of such life annuity. The annuity of the
12 officer or employee making such election shall be equal to

1 90 per centum of such life annuity, reduced by three-fourths
2 of 1 per centum of such life annuity for each full year, if
3 any, the designated wife or husband is under the age of sixty
4 at the date of such retirement, but shall in no case be less
5 than 75 per centum of such life annuity. The annuity of
6 such widow or widower shall begin on the first day of the
7 month in which the death of the officer or employee occurs
8 or the first day of the month following the widow's or
9 widower's attainment of age fifty, whichever is the later,
10 and such annuity or any right thereto shall terminate upon
11 his or her death or remarriage."

Passed the House of Representatives April 4, 1949.

Attest:

RALPH R. ROBERTS,

Clerk.

81st CONGRESS
1st Session

H. R. 2944

[Report No. 686]

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended to provide survivorship benefits for widows or widowers of persons retiring under such Act.

APRIL 5 (legislative day, MARCH 18), 1949

Read twice and referred to the Committee on Post Office and Civil Service

JULY 15 (legislative day, JUNE 2), 1949

Reported without amendment

suggest that the equivalent of section 8 be restored to this bill with a slight modification and as follows:

"SEC. 8. Nothing in this act shall be construed to authorize, require or establish military or civilian censorship or in any way to limit or infringe upon freedom of the press or of speech as guaranteed by the Constitution of the United States and no regulation shall be promulgated hereunder having that effect."

If such a provision be included in the law when it is enacted, it will in no sense defeat the general purposes of the act. It will, however, serve to limit overzealous administration.

Now while it does not deal with freedom of the press as such, I do want to call your attention to a provision in the proposed amendment to the Foreign Agents Registration Act of June 8, 1938.

On page 16 of the reported bill, subsection 8 (e) of the proposed amendment to section 3 of the Foreign Agents Registration Act in effect abolishes all statutes of limitations in respect of failure to file registration statements as required by the law. At the present time, if my memory does not fail me, treason and murder are the only crimes not covered by statutes of limitations. If a 10-year statute of limitations is reasonable for the crimes covered by the other amendments in the bill, certainly a 10-year period would seem to be reasonable for violations of the Foreign Agents Registration law.

In making the foregoing comments, I desire to point out that during World War II this Government did not attempt to enforce censorship as such upon the press of the United States. Agencies of the Government were set up to facilitate the handling of news in such a way as not to endanger the security of this country or to reveal to the enemy the movement of our armed forces. Committees of the press were set up in turn to confer with and cooperate with these agencies of the Government. Certainly, if that can be done in time of war, there should be no occasion in time of peace for Congress to enact legislation which might be construed by an overzealous official as authority to restrict the free flow of information of vital importance to the American people.

Very truly yours,

Elisha Hanson.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., June 23, 1949.

Hon. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: This is in response to your letter of June 10, 1949, with which was enclosed a letter of June 9, 1949, from Senator KILGORE to you concerning S. 595, a bill relating to the internal security of the United States, as reported favorably by the Committee on the Judiciary.

Senator KILGORE's letter appears to express concern that members of the press and almost everybody else in America would be subject to prosecution under some of the detailed provisions of the bill.

It is not known to which provisions of the bill the Senator's letter may have particular reference, but it is believed that this fear is unfounded. The history and application of the existing espionage statutes which this bill would amend only in part, and the language, history, hearings, and report of the committee relative to this bill, together with the integrity of the three branches of the Government which enact, enforce, and apply the law, would indicate that nobody other than a spy, saboteur, or other person who would weaken the internal security of the Nation need have any fear of prosecution

under either existing law or the provisions of this bill.

Needless to say, neither this Department nor the Members of the Congress would support a measure so drastic as the Senator's letter expresses the fear that this bill might be. The bill was neither intended nor drafted to impair the fundamental freedoms of the press or the individual.

The measure has been given most careful study. It was recommended by the Interdepartmental Intelligence Committee, consisting of the Director of the Federal Bureau of Investigation of this Department and the heads of the military intelligence. An analysis and the purposes of the measure were set forth in the Attorney General's letter of transmittal of January 14, 1949, and the measure was again discussed in detail in hearings before both the Senate and House Judiciary subcommittees.

It may be that the letter of Senator KILGORE refers to the element of "information relating to the national defense" which would be added to subsection 1 (d) of the Espionage Act (p. 12, lines 15 and 16 of the bill as reported). If this be the case, it should be noted that the loss of "information relating to the national defense" under existing law (subsec. 1 (f), p. 13, line 20 of the bill) without any scienter whatever, is punishable the same as a violation of subsection 1 (d), whereas the addition of the element of "information relating to the national defense" to subsection 1 (d) would be modified by the clause "which * * * the possessor has reason to believe could be used to the injury of the United States. * * *". Hence, this amendment would be less broad than existing law in this respect, and I am not aware of any use of the existing law which has abused the freedom of the press or the individual. Moreover, it appears that a person who makes a deliberate, unauthorized transmission of such information should certainly be held accountable at least as much as one who merely loses the information through negligence.

There is enclosed herewith a copy of S. 595 as reported by the Committee on the Judiciary in which additions to existing law have been underscored for purposes of convenient reference. The Department would appreciate the opportunity of discussing with Senator KILGORE any provisions of the bill concerning which he may have any questions.

Sincerely,

TOM C. CLARK,
Attorney General.

JULY 9, 1949.

Hon. HARLEY M. KILGORE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: Under date of June 9, you wrote me suggesting that the bill S. 595, now pending on the Senate Calendar, after having been reported favorably from the Committee on the Judiciary, may constitute a threat to freedom of the press, and expressing also the opinion that the bill was too broad.

As I promised you in my reply of June 10, I have restudied this bill most carefully, and I have sought expert advice from several sources. For your information, I enclose copies of letters which I addressed to the Attorney General; to the Chief of the Federal Law Section of the Legislative Reference Service, Library of Congress; and to Mr. Elisha Hanson. I am also enclosing replies from the Attorney General and Mr. Hanson, and a copy of certain memoranda furnished me by the Federal Law Section of the Legislative Reference Service, Library of Congress, pertinent to this question.

The Attorney General's letter appears to support the bill, in its present form, both strongly and fully.

Mr. Hanson's letter suggests an amendment which seems to have merit, and which seems aimed at answering one of the points which you raised. It will be my purpose to offer the language suggested by Mr. Hanson as a floor amendment to S. 595. I refer to Mr. Hanson's modification of what was section 8 of the bill as I originally introduced it. In the amendment which I intend to offer, this language will be proposed as a new section 5 of the bill.

Mr. Hanson's suggestion with regard to statute of limitations on failure to file under the Foreign Agents Registration Act does not appear to be well founded. The gravamen of this offense is not an overt act but a mere failure to act. The offense might under some circumstances be very difficult to discover. I do not like the idea of a legal situation in which a foreign agent, if he can successfully flaunt the law for some named period of time, may thereafter be forever immune to prosecution.

The point made by Mr. Oglebay, of the Federal Law Section, Legislative Reference Service, with regard to the desirability of eliminating subsection (c) of section 4 of the committee bill, also strikes me as worth while, and I shall offer an amendment for this purpose.

With the two amendments referred to above, I believe the bill will be wholly acceptable and that it should be enacted.

Thank you for writing me about this matter.

Kindest personal regards.

Sincerely,

PAT McCARRAN,
Chairman.

ELIZABETH DANIEL MEMORIAL—CHANGE
OF REFERENCE

Mr. HAYDEN. Mr. President, I move that the Committee on Rules and Administration be discharged from the further consideration of the bill (S. 2143) to provide for the erection of a memorial at the grave of Elizabeth Daniel, the widow of Joseph (Job) Daniel, a Revolutionary War soldier, and that it be referred to the Committee on the Judiciary. This request is agreeable to the chairman.

The motion was agreed to.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930—RECOMMittal OF BILL

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, be taken from the Calendar, and recommitted to the Committee on Post Office and Civil Service.

The VICE PRESIDENT. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and it is so ordered.

PRINTING OF REVIEW OF REPORT ON
MONONGAHELA RIVER, W. VA., AND PA.
(S. DOC. NO. 100)

Mr. CHAVEZ. Mr. President, on behalf of the Committee on Public Works, I present a letter from the Secretary of War, transmitting a report dated May 31, 1949, from the Chief of Engineers, United States Army, together with accompanying papers and illustrations, on a review of reports on the Monongahela

River, W. Va. and Pa., requested by a resolution of the Committee on Public Works of the Senate, adopted on October 3, 1947, and I ask unanimous consent that it be referred to the Committee on Public Works and be printed as a Senate document with illustrations.

The VICE PRESIDENT. Without objection, it is so ordered.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred as indicated:

H. R. 524. An act to provide for the release of all the right, title, and interest of the United States in a certain portion of a tract of land conditionally granted by it to the county of Los Angeles;

H. R. 540. An act to provide terminal leave pay for certain officers of the Navy and Marine Corps, and for other purposes; and

H. R. 5238. An act to authorize the adjustment of the lineal positions of certain officers of the naval service, and for other purposes; to the Committee on Armed Services.

H. R. 892. An act to authorize the establishment of a Federal Interagency Committee on Recreation;

H. R. 3275. An act to provide for the sale or other disposal of certain submarginal lands located within the boundaries of Indian reservations in the States of Montana, North Dakota, and South Dakota;

H. R. 3765. An act to promote the rehabilitation of the Sisseton-Wahpeton Sioux Tribe of Indians and better utilization of the resources of the Sisseton Reservation, and for other purposes;

H. R. 4117. An act to remove the present restriction relating to the granting of privileges within Kings Canyon National Park in order that privileges hereafter granted may be consistent with those granted in other areas of the national park system, and for other purposes;

H. R. 4688. An act to ratify and confirm act 4 of the Session Laws of Hawaii, 1949, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945;

H. R. 4762. An act to amend title 18, section 3618, of the Code of Laws of the United States of America, to empower the courts to remit or mitigate forfeitures;

H. R. 4901. An act to authorize the Eastern Band of Cherokee Indians, North Carolina, to lease certain lands for a period not exceeding 40 years;

H. R. 4986. An act to amend an act entitled "An act to provide for the adjustment of irrigation charges on the Flathead Indian Irrigation project, Montana, and for other purposes," approved May 25, 1948;

H. R. 5134. An act to promote development in cooperation with the State of Colorado of the fish, wildlife, and recreational aspects of the Colorado-Big Thompson Federal reclamation project;

H. R. 5184. An act to approve contracts negotiated with the Belle Fourche irrigation district, the Deaver irrigation district, the Westland irrigation district, the Stanfield irrigation district, the Vale, Oreg., irrigation district, and the Prosser irrigation district, to authorize their execution, and for other purposes; and

H. R. 5365. An act to provide for the transfer of the vessel *Black Mallard* to the State of Louisiana for the use and benefit of the department of wildlife and fisheries of such State; to the Committee on Interior and Insular Affairs.

H. R. 3343. An act to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain business corporations in the District of Columbia; to the Committee on the District of Columbia.

H. R. 5268. An act to amend certain provisions of the Internal Revenue Code;

H. R. 5327. An act to continue until the close of June 30, 1950, the suspension of duties and import taxes on metal scrap, and for other purposes; and

H. R. 5332. An act to amend section 3 of the act of June 18, 1934, relating to the establishment of foreign-trade zones; to the Committee on Finance.

H. R. 4022. An act to extend the time for commencing the construction of a toll bridge across the Rio Grande at or near Rio Grande City, Tex., to July 31, 1950;

H. R. 4050—An act to authorize advances of pay to personnel of the armed services upon permanent change of station, and for other purposes;

H. R. 4708. An act to amend the United Nations Participation Act of 1945; and

H. R. 5508. An act to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948; ordered to be placed on the calendar.

THE DOCTOR AND OUR HEALTH— ADDRESS BY SENATOR HILL

[Mr. HILL asked and obtained leave to have printed in the RECORD an address entitled "The Doctor and Our Health," delivered by him at the centennial celebration of the Medical Society of Philadelphia County, Philadelphia, Pa., May 11, 1949, which appears in the Appendix.]

DOES THE MARSHALL PLAN AID SOCIALISM?—ARTICLE IN THE CHRISTIAN SCIENCE MONITOR AND REPLY BY SENATOR KEM

[Mr. KEM asked and obtained leave to have printed in the RECORD an article entitled "Does the Marshall Plan Aid Socialism?—No" written by Roscoe Drummond, chief of the Washington Bureau, the Christian Science Monitor, June 27, 1949, and a letter replying to the article, written by Mr. KEM to the editor of the Christian Science Monitor, July 18, 1949, which appear in the Appendix.]

ADDRESS BY SENATOR CAPEHART IN REPLY TO PRESIDENT TRUMAN'S SPEECH TO THE NATION

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD an address delivered by him over the radio in reply to the address to the Nation by President Truman on July 13, which appears in the Appendix.]

SOCIALIZED MEDICINE—ESSAY BY MISS JOYCE KELLER

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD an essay on socialized medicine written by Miss Joyce Keller, a high-school student of Bluffton, Ind., which appears in the Appendix.]

ADDRESS BY SENATOR MARTIN BEFORE JEWISH WAR VETERANS

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an address delivered by him before the Jewish War Veterans, Department of Pennsylvania, at Philadelphia, Pa., on June 18, 1949, which appears in the Appendix.]

BRADFORD (PA.) FLOOD-CONTROL PROJECT

[Mr. MARTIN asked and obtained leave to have printed in the RECORD a statement submitted by him on July 13, 1949, to the Senate Committee on Public Works in support of the Bradford (Pa.) flood-control project, which appears in the Appendix.]

LACKAWAXEN RIVER BASIN FLOOD-CONTROL PROJECT—STATEMENT BY SENATOR MARTIN

[Mr. MARTIN asked and obtained leave to have printed in the RECORD a statement submitted by him on July 14, 1949, to the Senate Committee on Public Works in be-

half of additional authorization for the Lackawaxen River Basin flood-control project, which appears in the Appendix.]

MONONGAHELA RIVER NAVIGATION IMPROVEMENTS—STATEMENT BY SENATOR MARTIN

[Mr. MARTIN asked and obtained leave to have printed in the RECORD a statement prepared by himself and submitted to the Senate Committee on Public Works, in support of additional authorizations for the Monongahela River navigation improvements, on July 14, 1949, which appears in the Appendix.]

THE THREE-HORSE TEAM—ADDRESS BY SENATOR JOHNSON OF COLORADO

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an address on the subject The Three-Horse Team, delivered by him on July 15, 1949, in Kansas City, Missouri, at the aviation celebration of the chamber of commerce, which appears in the Appendix.]

HARRY BRIDGES—ARTICLES FROM THE NEW YORK TIMES AND STATEMENT BY SENATOR BUTLER

[Mr. BUTLER asked and obtained leave to have printed in the RECORD a news item entitled "Bridges Is Named WFTU Union's Head," and an article by Louis Stark, printed in the New York Times of July 20, 1949, together with a statement by himself, which appear in the Appendix.]

THE ADMINISTRATION'S FISCAL POLICIES—ARTICLE BY VERMONT ROYSTER

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article entitled "No Day of Ending," relating to the fiscal policies of the administration, which appears in the Appendix.]

THE FUTURE OF EUROPE'S MEDICAL PROFESSION

[Mr. MYERS asked and obtained leave to have printed in the RECORD an article entitled "Many Doctors Idle in DP Camps," published in the Pittsburgh Post-Gazette of July 13, 1949, which appears in the Appendix.]

RELEASE OF CONSCIENTIOUS OBJECTORS—EDITORIAL FROM HARTFORD COURANT AND ARTICLE FROM CHRISTIAN CENTURY

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial from a recent issue of the Hartford Courant, and an article from the Christian Century of July 13, 1949, on the subject of release of conscientious objectors, which appear in the Appendix.]

A PROGRAM FOR ASIA

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD an article entitled "A Program for Asia," which appears in the Appendix.]

NEW ENGLAND'S UNDEVELOPED WATER-POWER RESOURCES—EDITORIAL FROM BOSTON HERALD

[Mr. SALTONSTALL asked and obtained leave to have printed in the RECORD an editorial entitled "How Much Power?" published in the Boston Herald of July 18, 1949, which appears in the Appendix.]

ROBINSON VERSUS ROBESON—EDITORIAL FROM WASHINGTON POST

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD an editorial entitled "Robinson vs. Robeson," published in the Washington Post of July 20, 1949, which appears in the Appendix.]

81ST CONGRESS
1ST SESSION

H. R. 2944

IN THE SENATE OF THE UNITED STATES

APRIL 5 (legislative day, MARCH 18), 1949

Read twice and referred to the Committee on Post Office and Civil Service

JULY 15 (legislative day, JUNE 2), 1949

Reported by Mr. JOHNSTON of South Carolina, without amendment

JULY 20 (legislative day, JUNE 2), 1949

Recommitted to the Committee on Post Office and Civil Service

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 4 (b) of the Civil Service Retirement Act of
4 May 29, 1930, as amended, is amended to read as follows:
5 “(b) Any officer or employee retiring under the pro-
6 visions of section 1, 2, or 6 of this Act may, at the time of
7 retirement, elect to receive in lieu of the life annuity de-
8 scribed herein a reduced annuity and an annuity after death
9 payable to his or her surviving widow or widower designated

1 by such officer or employee at time of retirement equal to
2 50 per centum of such life annuity. The annuity of the
3 officer or employee making such election shall be equal to
4 90 per centum of such life annuity, reduced by three-fourths
5 of 1 per centum of such life annuity for each full year, if
6 any, the designated wife or husband is under the age of sixty
7 at the date of such retirement, but shall in no case be less
8 than 75 per centum of such life annuity. The annuity of
9 such widow or widower shall begin on the first day of the
10 month in which the death of the officer or employee occurs
11 or the first day of the month following the widow's or
12 widower's attainment of age fifty, whichever is the later,
13 and such annuity or any right thereto shall terminate upon
14 his or her death or remarriage."

Passed the House of Representatives April 4, 1949.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended to provide survivorship benefits for widows or widowers of persons retiring under such Act.

APRIL 5 (legislative day, MARCH 18), 1949

Read twice and referred to the Committee on Post Office and Civil Service

JULY 15 (legislative day, JUNE 2), 1949

Reported without amendment

JULY 20 (legislative day, JUNE 2), 1949

Recommitted to the Committee on Post Office and Civil Service

Calendar No. 835

81st CONGRESS }
1st Session }

SENATE

{ REPORT
No. 830

AMENDING THE CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930

AUGUST 2 (legislative day JUNE 2), 1949.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, submitted the following

R E P O R T

[To accompany H. R. 2944]

The Committee on Post Office and Civil Service, to whom was referred the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, having considered the same, report favorably thereon, with amendment, and recommend that the bill as amended do pass.

STATEMENT

After the committee had favorably reported H. R. 2944 to the Senate, without amendment, the chairman of the committee felt that the bill should be returned to the committee for further consideration and possible amendment.

The committee is reporting the bill with one amendment, the effect of which is to change the reduction factor for an annuitant (widower) leaving a survivorship benefit from 10 to 5 percent.

The purpose of this amendment is to make H. R. 2944 conform on this point to S. 1440, which has been passed by the Senate and is now pending before the House.

As amended, the committee reports favorably on H. R. 2944 and adopts the remainder of Senate report 686, attached.

AMENDMENT

On page 2, line 4, strike out "90" and put in lieu thereof "95."

2 AMENDING CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930

[S. Rept. No. 686, 81st Cong., 1st sess.]

The Committee on Post Office and Civil Service, to whom was referred the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The purpose of this bill is to provide survivorship benefits for widowers of married female employees who retire under section 1, 2, or 6 of the Civil Service Retirement Act of May 29, 1930, as amended.

Subsektion 4 (b) of the Civil Service Retirement Act, as amended, February 28, 1948, permits a married male employee upon retirement under section 1, 2, or 6 of the act to elect to receive throughout his lifetime a reduced annuity with a continuing annuity after his death payable to his widow. The bill proposes to amend subsection 4 (b) by permitting the same survivorship benefits for widowers as are now provided for widows.

For a more detailed analysis, see House Report 274, attached.

"At a hearing before the committee on March 14, representatives of the Civil Service Commission stated that the Commission was favorable to the enactment of this legislation, and pointed out that no additional cost is involved.

"Representatives of the American Federation of Government Employees, Government Employees' Council, National Federation of Federal Employees, Retirement Federation of Civil Service Employees of the United States Government, National Association of Retired Federal Employees, National Federation of Post Office Clerks, National Association of Post Office Custodial Employees, United National Association of Post Office Clerks, and the National Association of Letter Carriers were unanimous in their approval of the legislation.

"The committee believes that the present Civil Service Retirement Act is discriminatory in not allowing the same survivorship benefits for widowers as are now allowed for widows. Also, it was pointed out at the hearing that subsection 4 (c) of the Civil Service Retirement Act authorizes an unmarried employee (male or female), retiring under section 1 or 2, to elect a reduced annuity and designate a survivor annuitant. Thus, at the present time a prospective beneficiary of an unmarried employee stands in a better position than the husband of a married female employee.

"This bill in reality is in the nature of a perfecting amendment to the Civil Service Retirement Act. The report of the Civil Service Commission dated March 11, 1949, with respect to this legislation is as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington 25, D. C., March 11, 1949.

Hon. TOM MURRAY,
Chairman, Committee on Post Office and Civil Service,
House of Representatives.

DEAR MR. MURRAY: I have your letter of March 1, 1949, transmitting copies of H. R. 2944, a bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, and requesting the comments of the Commission thereon.

By letter of February 28, 1949, the Commission addressed a letter to the Speaker of the House of Representatives as follows:

"The Commission desires to present to the Eighty-first Congress a proposal to correct an inequity existing in the present retirement law.

"Section 4 (b) of the Civil Service Retirement Act, as amended February 28, 1948, permits a married male employee upon retirement under section 1, 2, or 6 of the act to elect to receive throughout his lifetime a reduced annuity with a continuing annuity after his death payable to his widow. Under this plan, the annuity otherwise due the retiring employee is reduced by 10 percent, plus three-fourths of 1 percent for each full year (if any) the wife is then under age 60, the total reduction not to exceed 25 percent in any case. Section 4 (c) authorizes, with certain restrictions, an unmarried employee (male or female) retiring under section 1 or 2 of the act to elect a reduced annuity and designate a survivor annuitant.

"It will therefore be noted that a married female employee may not name a survivor annuitant. This, the Commission feels, is discriminatory. Instances are not rare in which the wife is the sole or main support of the family because of incapacity of the husband. Aside from this latter aspect, which is not a determining factor in existing law, the female employee, being subject to the same deduction and other obligations as the male employee, should be in a position to purchase, by a reduction in her own annuity, a benefit for her husband if she so desires.

"Draft of bill to effectuate this purpose is quoted below:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 4 (b) of the Civil Service Retirement Act of May 29, 1930, as amended, is hereby amended to read as follows:

"(b) Any officer or employee retiring under the provisions of section 1, 2, or 6 of this Act may at the time of retirement elect to receive in lieu of the life annuity described herein a reduced annuity and an annuity after death payable to his or her surviving widow or widower designated by the officer or employee at time of retirement equal to 50 per centum of such life annuity. The annuity of the officer or employee making such election shall be equal to 90 per centum of such life annuity, reduced by three-fourths of 1 per centum of such life annuity for each full year, if any, the designated wife or husband is under the age of sixty at the date of such retirement, but shall in no case be less than 75 per centum of such life annuity. The annuity of such widow or widower shall begin on the first day of the month in which the death of the annuitant occurs or the first day of the month following the widow's or widower's attainment of age fifty, whichever is the later, and such annuity or any right thereto shall terminate upon death or remarriage of such widow or widower."

"The Commission, therefore, recommends that this proposal be introduced in the House of Representatives, and that favorable action be taken thereon.

"The Bureau of the Budget advises that there would be no objection to the submission of this proposal for the consideration of the Congress."

With a few changes in wording not material to the substance of the proposal H. R. 2944 embodies the suggestions made to the Speaker. Accordingly, the Commission recommends the enactment of H. R. 2944 into law.

By direction of the Commission:

Very sincerely yours,

FRANCES PERKINS, Acting President.

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 4 (B) OF THE CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930, AS AMENDED

"SEC. 4. (a) * * *.

"(b) Any officer or employee [if a husband], retiring under the provisions of section 1, 2, or 6 of this Act [may] *may*, at the time of [this retirement] *retirement*, elect to receive in lieu of the life annuity described herein a reduced annuity and an annuity after [his] death payable to his or her surviving widow or widower designated by [him] *such officer or employee* at time of retirement equal to 50 per centum of such life annuity. The annuity of the officer or employee making such election shall be equal to 90 per centum of such life annuity, reduced by three-fourths of 1 per centum, of such life annuity for each full year, if any, [his wife] *the designated wife or husband* is under the age of sixty at the date of such retirement, but shall in no case be less than 75 per centum of such life annuity. The annuity of such widow or widower shall begin on the first day of the month in which the death of the [husband] *officer or employee* occurs or the first day of the month following the widow's or widower's attainment of age fifty, whichever is the later, and such annuity or any right thereto shall terminate upon *his or her* death or remarriage."



Calendar No. 835

81st CONGRESS
1st Session

H. R. 2944

[Report No. 830]

IN THE SENATE OF THE UNITED STATES

APRIL 5 (legislative day, MARCH 18), 1949

Read twice and referred to the Committee on Post Office and Civil Service

AUGUST 2 (legislative day, JUNE 2), 1949

Reported by Mr. JOHNSTON of South Carolina, with an amendment

[Omit the part struck through and insert the part printed in italic]

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930,
as amended, to provide survivorship benefits for widows or
widowers of persons retiring under such Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 4 (b) of the Civil Service Retirement Act of
4 May 29, 1930, as amended, is amended to read as follows:
5 “(b) Any officer or employee retiring under the pro-
6 visions of section 1, 2, or 6 of this Act may, at the time of
7 retirement, elect to receive in lieu of the life annuity de-
8 scribed herein a reduced annuity and an annuity after death
9 payable to his or her surviving widow or widower designated
10 by such officer or employee at time of retirement equal to

1 50 per centum of such life annuity. The annuity of the
2 officer or employee making such election shall be equal to
3 ~~90~~ 95 per centum of such life annuity, reduced by three-
4 fourths of 1 per centum of such life annuity for each full
5 year, if any, the designated wife or husband is under the age
6 of sixty at the date of such retirement, but shall in no case
7 be less than 75 per centum of such life annuity. The an-
8 nuity of such widow or widower shall begin on the first day
9 of the month in which the death of the officer or employee
10 occurs or the first day of the month following the widow's
11 or widower's attainment of age fifty, whichever is the later,
12 and such annuity or any right thereto shall terminate upon
13 his or her death or remarriage."

Passed the House of Representatives April 4, 1949.

Attest:

RALPH R. ROBERTS,

Clerk.

81st CONGRESS H. R. 2944
1st Session

[Report No. 830]

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such Act.

APRIL 5 (legislative day, MARCH 18), 1949

Read twice and referred to the Committee on Post Office and Civil Service

AUGUST 2 (legislative day, JUNE 2), 1949

Reported with an amendment

water rights, and they would be served from the river. The object of removing the limitation is to bring those larger ranches into the project so that they will help pay for a part of it by the regulation of their flow of water. The bill is really in the interest of the very small landowners, because the project is not feasible without the larger rancher, and no money can be obtained from him unless we pass the bill and permit him to come in, because he will sit out on the sidelines and get his water, since he already has the water rights and owns them.

One further point: The proposed reservoir will help regulate the river, which serves two States. It flows into New Mexico just a short distance below the dam, and it is very necessary to hold the floodwaters back in the upper reaches of the river so that the flow will be regulated. It is of very great advantage to the State of New Mexico and to the State of Colorado that the dam be built.

Mr. ROBERTSON. Mr. President, this discussion is a little outside of my jurisdiction, because in Virginia we are blessed with plenty of water, but I have learned on the Committee on Appropriations that it is quite possible and feasible for a large landowner, where there is irrigation, to sink a well and pump the water from the subterranean table. So I do not see why this limitation is having any practical effect.

Mr. DOUGLAS. The whole question of subterranean water levels is of course a highly complicated one. It is important not merely in connection with the project we are discussing, but as to other projects over the country.

I have no desire to be captious, or to raise artificial objections, but it seems to me highly important that we stick to the fundamental land policy of the country, which is that we should encourage the family-size farm, and that public water should be used to encourage family-size farms and not large-scale farms.

I quite well recognize that because of the high altitude, and perhaps for certain other reasons, it is possible that an exception should be made in this case, but it seems to me that in general the rule should be clear. I am somewhat afraid that if we make an exemption in this case, it may be used as precedent for making exceptions in other cases.

I have no desire whatsoever to be captious, or to throw artificial obstacles in the way of the two distinguished Senators from Colorado, but I should like to have this bill go over to the next call of the calendar, until I have had occasion to study it. I do not wish to set myself up as having undue importance in the matter, but at the moment I am not certain that this bill is in the public interest.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. ANDERSON. I would say to the Senator that in certain sections of California and Arizona there could be family-size farms of only 2 acres, because they would comprise highly cultivated tracts of ground, given over to truck gardening, and such a tract might be a complete

family-size farm. In the valley in which I live we raise largely alfalfa, which requires a full 160 acres for a family-size farm. But as to the particular section of Colorado involved in the measure before us, which I have visited many times, a farm needs to be larger. I am greatly interested in their problem because of the general feeling I have in regard to irrigation. In the San Luis Valley it is absolutely impossible to regard a 160-acre farm as a family-sized farm. Therefore I think the limit should be expanded so that there could be family-sized farms, and not merely tremendous ranches.

Mr. DOUGLAS. By administrative rulings of the Department of the Interior, I understand the limitation is not 160 acres, but 320 acres for married couples so that there is already more leeway than Senators think from the 160 acres.

Mr. President, as I have said, I have no desire to obstruct in this matter, but in view of the great importance of the subject in relation to the whole land policy of the United States, I do not think I am being captious in asking that the bill go over to the next call of the calendar. I want to assure the Senators that I shall not raise any artificial objections if it becomes evident that a family-size farm at this altitude in Colorado, in this particular valley, would require more than 320 acres.

Mr. MILLIKIN. Mr. President, I am quite sure the Senator, in studying the subject further, especially if he will read the record, will find that a 320-acre farm is not sufficient to give a decent living in that valley. I am confident the Senator from Illinois will find that to be true.

Would the Senator from Illinois mind if we place the bill at the foot of the calendar?

Mr. DOUGLAS. I do not know how much time that would give me to inform myself on the matter. I suppose it would give me about half an hour to study the subject. I would ordinarily have little objection to the bill going to the foot of the calendar. But I would have to read pretty fast and study pretty fast. I would therefore prefer to have it go over to the next call of the calendar. It is possible that the Senators sponsoring the bill are correct. But the precedent we are setting here is a very important one and we should give it adequate consideration.

Mr. MILLIKIN. May I make this suggestion? We have already established a precedent under similar conditions, and I suggest that in any general legislation we write on this subject we would have to carve out an exception to meet this particular kind of situation. The point is not to have a family-size farm. The point is to have a farm which will provide people a decent living. I believe the testimony abounds with evidence that a man cannot make a decent living on a 320-acre farm in the San Luis Valley.

Mr. DOUGLAS. Mr. President, this is so vital a subject, and we are so likely to build up precedents in favor of violating the principle of the family-size

farm, that I hope the Senator will not put me in the position of being ungracious by asking that the bill go over to the next call of the calendar. I should like to oblige my good friend from Colorado, and I hope he will not put me at the bottom of the calendar so far as his esteem for me is concerned; but I should like to have the bill go over until the next time the calendar is called. I feel very bad about resisting the invitation of the Senator from Colorado, but I must request that the bill go over.

Mr. O'MAHONEY. Mr. President, before the Senator makes his final judgment I should like to add a word. Inasmuch as I was a member of the subcommittee, and am chairman of the full committee which acted upon this measure, I should like to say to the Senator from Illinois that there was no objection in the committee to the favorable report upon this bill.

The 160-acre limitation has frequently in the past been called the antispeculation feature of the original reclamation law. It was designed to prevent a condition under which the Government of the United States should spend the people's money to put water upon land not presently being used for growing crops, but owned by private individuals, and thereby make it possible for such individuals to gain substantial accretions to the value of their land and then sell the land to those who wanted to settle upon the irrigated area.

Such a condition does not apply in the San Luis Valley, because the entire valley has already been settled, and most of it is in small holdings. The records before the committee show that in the entire valley, if my recollection is correct, there were not more than three or four ranch holdings in excess of 2,500 acres. There was no evidence that any of these lands were getting any new water. The water rights in the valley have already been allocated. They are claimed. They are owned under the law. What the construction work accomplishes is to store the water and stabilize the flow. So the committee was clearly of the opinion that nothing in this bill would change the fundamental principle of the antispeculation law.

Mr. DOUGLAS. Mr. President, I have a real feeling of humility in going into the question of reclamation law with such distinguished authorities as have recently spoken. But I had always thought that the original reclamation law was intended to govern the disposition of water and that it applied to public water to irrigate private lands as well as to irrigate public lands. It was the intent of Congress that this water was to be used primarily to promote the family-size farm. Now if it be true that the public waters developed by reclamation projects are intended for the family-size farm, I think we should hold to that purpose. As I say, it may well be that, because of the high altitude and the short-growing season, an artificial restriction to 320 acres in this particular valley in Colorado may not be sufficient to support a family. But I think the burden of proof, if I may put it that way, should be on those who would change the

fundamental reclamation and water law of the country, rather than upon those of us who are trying to uphold it. That is why once again, in a very moderate fashion, I must say that I hope the bill may go over until the next call of the calendar.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield on that point?

Mr. DOUGLAS. Yes.

Mr. JOHNSON of Colorado. I ask unanimous consent that when we have the next call of the calendar this particular bill will be considered.

The PRESIDING OFFICER. Without objection, the request is agreed to, and the bill goes over.

Mr. LANGER. Mr. President, I was going to add my objection to that of the Senator from Illinois. I also ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over. Under the unanimous consent agreement the bill will be considered at the next call of the calendar.

COLVILLE INDIAN RESERVATION LANDS— BILL PASSED TO THE FOOT OF THE CALENDAR

The bill (H. R. 2432) restoring to tribal ownership certain lands upon the Colville Indian Reservation, Wash., and for other purposes, was announced as next in order.

Mr. WHERRY. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MAGNUSON. Mr. President, I wonder if the Senator who asked that the bill be passed over will withhold his objection for a moment.

Mr. WHERRY. Mr. President, I asked that the bill be passed over. I made the request on behalf of the senior Senator from Nebraska [Mr. BUTLER]. I would not be adverse to having it go to the foot of the calendar, and to have it called up again when the senior Senator from Nebraska returns to the floor.

The PRESIDING OFFICER. On objection, the bill will be placed at the foot of the calendar.

RECLASSIFICATION OF SALARIES OF POSTMASTERS AND OTHERS

The bill (H. R. 1516) to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, so as to provide annual automatic within-grade promotions for hourly employees of the custodial service, was announced as next in order.

Mr. TAFT. Mr. President, according to my record Calendar No. 833, House bill 2432 was recommitted. I heard a motion to recommit made sometime ago, and it was agreed to.

Mr. JOHNSTON of South Carolina. The bill was recommitted, and then reported back to the calendar, and is now on the calendar again.

Mr. TAFT. Does the Senator mean that the bill has gone back to the committee and been reported back from the committee and is now on the calendar?

Mr. JOHNSTON of South Carolina. The bill was recommitted for amend-

ment. The amendment has been added to the bill.

Mr. TAFT. I am talking about Calendar No. 833, House bill 2432.

Mr. JOHNSTON of South Carolina. Mr. President, I was under a misapprehension. I had reference to the next bill on the calendar.

Mr. TAFT. I am sure it was recommitted.

The PRESIDING OFFICER. No previous action has been taken today on Calendar 833, House bill 2432. A moment ago it was passed to the foot of the calendar.

Mr. WHERRY. Yes, Mr. President, I asked that it go to the foot of the calendar, and if the distinguished Senator from Washington [Mr. MAGNUSON] desires to have it considered when it is reached again later today, very well.

The PRESIDING OFFICER. House bill 1516, Calendar No. 834, was announced as next in order. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 1516) to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, so as to provide annual automatic within-grade promotions for hourly employees to the custodial service, was considered, order to a third reading, read the third time, and passed.

SURVIVORSHIP BENEFITS FOR WIDOWS AND WIDOWERS UNDER CIVIL SERVICE RETIREMENT ACT

The Senate proceeded to consider the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, which has been reported from the Committee on Post Office and Civil Service with an amendment on page 2, line 3, before the word "per centum", to strike out "90" and insert "95."

The amendment was agreed to.

Mr. SALTONSTALL. Mr. President, may I ask what would be the cost of this bill?

Mr. JOHNSTON of South Carolina. Mr. President, a similar bill passed the Senate this year. We reported the House bill with an amendment, in order to get it to conference. If the Senator will read the report, he will find that to be true.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

Mr. SALTONSTALL. Mr. President, may I receive an answer to my question, as to the cost?

Mr. LANGER. Mr. President, I can answer that question. The bill involves 5,000 widows of men who were working for the Government, and who died. The widows were left out of the bill we passed last year.

Mr. WILLIAMS. Mr. President, I remind the Senator from Massachusetts that we are a little late in asking the cost.

About 2 months ago we passed a bill which gave these same survivorship benefits to the men. At that time I called the Senate's attention to the fact that we were then establishing a precedent and that later such benefits would be requested by the women. I can see no reason why they should not receive the same benefits as do the men, because they pay the same amount into the fund. I objected to passage of the first bill because we did not have an estimate of the cost. But since the Congress has passed the increased benefits for the men without considering the cost we now have no alternative other than to give the women the same consideration.

Mr. TOBEY. Mr. President, I address my remarks to the distinguished Senator from Massachusetts [Mr. SALTONSTALL]. As I understood the Senator's question, he asked what would be the cost of this bill in dollars. The Senator from North Dakota gave the answer in a new form of currency—5,000 widows. The question is, How many dollars to a widow, and how many widows to a dollar?

Mr. LANGER. It would depend upon the salary their husbands were receiving.

Mr. TOBEY. How many dollars?

Mr. LANGER. I may answer the Senator from New Hampshire by saying that it depends on the salary the husband was receiving at the time of his death.

Mr. WILLIAMS. Mr. President, at the time, the same increase was given with respect to the men, I called attention to the fact that that bill carried no recommendation from the Budget, and that there was no estimate as to the cost. I said that we were establishing a bad precedent at that time. I opposed the bill at that time and voted against it, but it was passed. However, since the Senate has already adopted the principle of allowing a man to deduct only 5 percent when he makes his wife the survivor, I now think a woman should be allowed to name her husband survivor, with the same deduction.

Mr. JOHNSTON of South Carolina. The Senator is entirely correct. The bill wipes out an inequity.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SYSTEM OF DRAINAGE AND SANITATION FOR CITY OF POLSON, MONT.

The bill (H. R. 2869) to authorize an appropriation in aid of a system of drainage and sanitation for the city of Polson, Mont., was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I ask the sponsor of the bill whether it is not true that the effect of the bill, if enacted, would be completely to relieve the irrigation district of any responsibility, financial or otherwise, for maintenance?

the red. Why set up a new organization?

Mr. STANLEY. That has already been set up. This simply gives them authority for what they are now doing.

Mr. RICH. You have that organization now, as I understand it, and they are doing a good job, and anybody can go there to make recordings.

Mr. STANLEY. Yes; and they will charge you for the records that you or other Members may make.

Mr. MARTIN of Massachusetts. As I understand it they will keep on charging for these recordings.

Mr. STANLEY. They are going to continue to charge for the recordings, but the money, which has heretofore not been turned into the Treasury of the United States, will be accounted for in the future.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield to the distinguished majority leader.

Mr. McCORMACK. Is it not a fact that under the present set-up it is Government money, but there is no supervision because while it is supposed to be under the Clerk of the House and the Secretary of the Senate, they have no control and no report is made on the operation? The main purpose of this is to enable the Clerk of the House and the Secretary of the Senate to have control and if any money comes in that will be accounted for and they will issue checks and pay the bills; is that not correct?

Mr. STANLEY. This will make them responsible to somebody for the operation.

Mr. McCORMACK. That is the main purpose of this, as I understand; to enable the Clerk of the House and the Secretary of the Senate to protect themselves in connection with the money that is received. This gives them the authority to put the operation under bond, so that they will be protected.

Mr. RICH. May I ask this question: Has there been any complaint about the set-up or the organization which we now have?

Mr. STANLEY. None has come to the committee.

Mr. McCORMACK. On the other hand they have received nothing but compliments.

Mr. RICH. Have the people who are operating it now ever done anything contrary to the rules and regulations of the House?

Mr. STANLEY. Not at all.

Mr. RICH. Then why set up something which is going to be under the supervision of the House of Representatives and put more Government control on the people who are operating it?

Mr. STANLEY. I would say in answer to the gentleman's question, as one businessman to another, that we would want to have an accounting of the money that came into any facility or corporation in which we were interested. We would want somebody to account for that money. There has been no person to whom they should be accountable up to the present time. This provides for a proper accounting of these funds.

Mr. RICH. Have you asked them for an accounting?

Mr. STANLEY. I do not know that that has been done.

Mr. RICH. Has anybody made a complaint?

Mr. STANLEY. I cannot answer that question.

Mr. RICH. Mr. Speaker, I am against these controls, this everlasting putting things under the control of somebody, because everything we are doing is to get control of something. I object.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield.

Mr. McCORMACK. The gentleman from Pennsylvania, [Mr. RICH], in good faith misunderstands the situation. It is already under the control of the Clerk of the House and the Secretary of the Senate.

Suppose you were Clerk of the House or Secretary of the Senate and this was under your control, but you have no control. There is no necessity for making returns to you. This is simply to enable the Clerk of the House and the Secretary of the Senate to protect themselves on their bond. If there is anything wrong, their bond is liable, but they have no authority to protect themselves or to protect their bond.

The SPEAKER. The Chair would like to say, if the gentleman from Virginia will yield, the Chair has been wrestling with this thing all this year. The gentleman from Pennsylvania [Mr. RICH] is a businessman, I understand. This is to try to bring some business into this thing and have it on the level and have everybody know where they stand. That is the whole question.

Mr. RICH. Mr. Speaker, I have asked questions, and I cannot find where there has been any complaint. If I could find something that was wrong I would be willing to let it go by. I am only trying to make things better. If I can do that by objecting I intend to object. If I would do better by withdrawing my objection, I will do that, but these things come in so hurriedly that we do not have a chance to have them explained. I do not want to object if it is something that will do some good. You say it is going to do good, so let us put it through.

Mr. SCRIVNER. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield.

Mr. SCRIVNER. As a member of the Subcommittee on Appropriations that handles this particular situation, I may say for the benefit of the House and of the gentleman from Pennsylvania that this resolution, to a very marked degree, carries out the recommendations of the Subcommittee on Appropriations which deals with this particular thing.

We found that there was loose fiscal control over the funds going into this revolving fund in the office of the Secretary of the Senate and the Sergeant at Arms. This is carrying out a recommendation made by that Subcommittee on Appropriations, as good business practice.

Mr. RICH. You mean to put this into effect?

Mr. SCRIVNER. Yes.

Mr. RICH. Then I withdraw my objection, Mr. Speaker.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield.

Mr. MARTIN of Massachusetts. I would like to ask if the newspapermen and the radio commentators can continue to use this service.

Mr. STANLEY. This does not affect the service they have now, as I understand it.

Mr. MARTIN of Massachusetts. They use these facilities, I understand, for interviews.

Mr. STANLEY. I understand this is only for Members of the House and the Senate.

Mr. PHILLIPS of California. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield.

Mr. PHILLIPS of California. The question which the gentleman from Massachusetts asked is a very good question. But the general way that the newspaper and radio men use the facility is to have a conference with a Member of the House. Is that not what the gentleman means?

Mr. MARTIN of Massachusetts. Yes.

Mr. PHILLIPS of California. Under this that would not be barred.

Mr. MARTIN of Massachusetts. I understood there were certain radio commentators who would go up there to prepare the statements that they send back to their local stations. Would they be able to continue to use that?

Mr. STANLEY. I think that is different.

Mr. LECOMPT'E. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield.

Mr. LECOMPT'E. As a matter of fact, this resolution undertakes to establish a business service that has been in existence for 2 years.

Mr. STANLEY. That is correct.

Mr. LECOMPT'E. It does not provide for any funds. It does not contemplate the expenditure of any more money. I think it contemplates the supervision of funds that are taken in.

Mr. STANLEY. The gentleman is correct.

Mr. RICH. It provides \$10,000 salary.

Mr. LECOMPT'E. They are already being paid.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield.

Mr. CRAWFORD. We have gone with the experience with the Sergeant at Arms' office, and some of us were penalized on that for a considerable time. We have got the situation that has been more or less publicized in connection with the stationery room. Now, this situation comes up. The question I want to ask is, When are these committees who make up such set-ups going to learn to put this on a business basis at the inception of the deal?

We are the representatives of the taxpayers here. This thing is inexcusable. You cannot go before your people and justify what happened through loose dealing on the part of committees which start these things in the first place and put the Speaker of the House in a posi-

tion where we have to help him pull ourselves out of a mudhole. The question I would like for somebody to answer here is, When are you going to quit setting up these loose deals like this? Imagine a situation where that has been going on here under appropriations of this House with no accountability. It is inexcusable and it ought to be straightened out.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADDITIONAL CLERICAL ASSISTANT, DISBURSING OFFICE

Mr. STANLEY. Mr. Speaker, by direction of the Committee on Accounts, I present a privileged resolution (H. Res. 315) authorizing additional employees in the disbursing office, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That, effective August 1, 1949, there shall be paid out of the contingent fund of the House, until otherwise provided by law, an additional sum not to exceed \$5,000 (basic) per annum for the employment of additional clerical assistants in the disbursing office in accordance with the provisions of House Resolution 585, adopted December 16, 1942.

With the following committee amendments:

Line 1, change "affective" to "effective." Line 4, strike out "\$5,000" and insert in lieu thereof "\$2,500."

Line 4, following the word "of", insert the word "one."

Line 5, strike out the word "assistants" and insert the word "assistant" in lieu thereof.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ISABEL MUTH MEADE

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I present a privileged resolution (H. Res. 288) for the relief of Isabel Muth Meade and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Isabel Muth Meade, widow of Hugh A. Meade, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate he was receiving at the time of his death and an additional amount not to exceed \$250 toward defraying the funeral expenses of said Hugh A. Meade.

With the following committee amendment:

Page 1, line 6, strike out "\$250" and insert "\$350."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RUTH BANKHEAD

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I present a privileged resolution (H. Res. 317) for the relief of Mrs. Ruth Bankhead and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Mrs. Ruth Bankhead, mother of Amoretta Bankhead, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate she was receiving at the time of her death and an additional amount not to exceed \$350 toward defraying the funeral expenses of said Amoretta Bankhead.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION CONTESTS DISMISSED: BROWNER v. CUNNINGHAM, FIFTH DISTRICT, IOWA; FULLER v. DAVIES, THIRTY-FIFTH DISTRICT, NEW YORK, AND THIERRY v. FEIGHAN, TWENTIETH DISTRICT, OHIO

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I present a privileged resolution (H. Res. 324) relative to the contested election cases of Browner against Cunningham, Fifth Congressional District of Iowa; Fuller against Davies, Thirty-fifth Congressional District of New York; and Thierry against Feighan, Twentieth Congressional District of Ohio, and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the election contest of Vincent L. Browner, contestant against Paul Cunningham, contestee, Fifth Congressional District of the State of Iowa, be dismissed, and that the said Paul Cunningham is entitled to his seat as a Representative of said district and State; be it further

Resolved, That the election contest of Hadwen C. Fuller, contestant, against John C. Davies, contestee, Thirty-fifth Congressional District of the State of New York, be dismissed and that the said John C. Davies is entitled to his seat as a Representative of said district and State; and be it further

Resolved, That the election contest of James F. Thierry, contestant, against Michael A. Feighan, contestee, Twentieth Congressional District of the State of Ohio, be dismissed and that the said Michael A. Feighan is entitled to his seat as a Representative of said district and State.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. RICH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICH. Mr. Speaker, in connection with the bill just passed with reference to the Radio Gallery, if we are going to have a good business administration will it be possible for any Member of Congress to go to the Radio Gallery, use the services there and run up a big bill without having a proper accounting? In other words, is the administrator of the House Radio Gallery going to see that these bills are kept current?

The SPEAKER. It is certainly not the intention of myself that this be run in any other way except on a business basis and that all people pay their bills promptly.

AMENDMENT TO CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, with Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. MURRAY of Tennessee, MORRISON, and REES.

PERMISSION TO ADDRESS THE HOUSE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

FEDERAL AID TO EDUCATION

Mr. STAGGERS. Mr. Speaker, today we passed a bill which was an issue in the plank of the Democratic platform during the past year. I was for the bill, I voted for it, I think it is a fair and just measure. However, I think there is another issue which was a plank in the same Democratic platform that should be brought before the Congress now. I refer to the Federal aid-to-education bill. I know this is a very controversial issue, but why not let the Representatives of 148,000,000 people decide the issue in the democratic way?

This country is too great and too powerful to let dissension on religious and racial issues divide our people. This Congress is capable of passing a Federal aid-to-education bill which is fair and just to all races and creeds if it is given the opportunity.

One slogan which has made this Nation a beacon to all peoples throughout the world is "equality of opportunity to all." Do we now have equality of educational opportunity in this Nation? I do not feel we do, but let us bring the Federal aid-to-education bill before the Representatives of the people and let them decide.

Truth crushed to earth shall rise again. For the eternal years of God's are hers.

EXTENSION OF REMARKS

Mr. JAVITS asked and was given permission to extend his remarks at this point in the RECORD on the subject Far Eastern Cooperation.

FAR EASTERN COOPERATION

Mr. JAVITS. Mr. Speaker, a resolution is being introduced today in which I have joined with Representatives GEORGE A. SMATHERS, Democrat, Florida; JAMES G. FULTON, Republican, Pennsylvania;

the application of various recommendations and textual discussions concerning the Central Intelligence Agency contained in the reports of the Commission on Organization of the Executive Branch of the Government. Because of the nature of the work of this Agency, I am sure you will understand the difficulties in giving any detailed public report of this nature while still maintaining essential security. However, I believe that I can make certain general statements which will be responsive.

The Central Intelligence Agency was established by the National Security Act of 1947 (P. L. 253, 80th Cong.). This act placed the Agency under the direction of the National Security Council, and the Commission has agreed that it is properly so placed. The Congress has now passed the Central Intelligence Agency Act of 1949 (Public Law 100, 81st Cong.), which gives the Agency the administrative authorities it needs to carry out the functions assigned to it by the National Security Act of 1947. In addition, this new act is most important to us in the development of the career foreign intelligence service for the Government, which is so vital to the Agency's successful performance of its assigned missions.

Recommendation No. 4c of the Hoover Commission Report on the National Security Organization is "That vigorous steps be taken to improve the Central Intelligence Agency and its work." These steps, we feel, are being taken, and will continue to be taken in the future. In this connection, I invite your attention to paragraph 5 of the comments of the executive secretary of the National Security Council, contained in his letter to you dated June 22, 1949. He states:

"Last year the Council employed a special group of consultants from outside the Government to survey the Central Intelligence Agency and related intelligence problems and report its findings to the Council.

"The Council has considered this survey, has taken some indicated steps for improvement, and presently has under advisement additional steps to improve the Central Intelligence Agency and national organization for intelligence."

One particular weakness which was underlined by the task force report on the national security organization (appendix G, pp. 20 and 77) was in the field of scientific and medical intelligence. This criticism, which was justified, was anticipated and met by creating a special office within the Agency, under an assistant director, whose sole responsibility lies in the field of scientific and medical intelligence. As assistant director we were most fortunate to secure an outstanding scientist, with a long and distinguished career, both in the field of applied science and medical research. In addition, the Central Intelligence Agency Act of 1949 (Public Law 110, 81st Cong., sec. 9) authorizes the establishment within the Agency of three P-9 positions for those scientific intelligence functions which require the services of specially trained scientific personnel.

Further criticism has been indicated of relationships among the various intelligence agencies throughout the Government and in the production of intelligence estimates. You may be assured that these problems are being considered on a daily basis, with thought to their continual improvement.

In your letter you note that your committee is particularly interested in recommendations in the field of general and personnel management, administrative services, and budgeting and accounting.

Great strides forward in the general field of administrative services are anticipated with the passage recently of the Federal Property and Administrative Services Act of 1949. While an exemption has been granted

this agency under section 502 (d) (17) of this act, we are complying with its provisions wherever possible. As we stated in discussions with a member of your committee staff during consideration of this act, this agency has some very special problems in the field of procurement, which, because of the nature of our work, require that special means of procurement be taken. Normal procurement channels and methods cannot always be followed for reasons of security. In addition, section 3 of the Central Intelligence Agency Act of 1949 extends to us certain authorities contained in the Armed Services Procurement Act of 1947.

We have given careful study to the Hoover Commission reports in the fields of personnel and general management, and budget and accounting. We maintain a small management staff engaged in constant survey and review of agency activities. Their mission is the prevention of overlapping of functions and the establishment of organization structure and personnel authorizations on the basis of maximum production with minimum personnel.

We feel that this has produced excellent results so far. As I stated above, we are trying to build a career service in intelligence which shall be second to none. At the same time we are endeavoring to keep administrative costs at a minimum for administrative costs can be met at the expense of operational activities after a certain minimum has been reached. We are pleased to find, however, that many of the Commission's recommendations were already in practice here in administrative fields.

I trust that the above comments will be helpful to you, and if there is anything further we can do to assist you please do not hesitate to call upon me.

Sincerely yours,

R. H. HILLENKOETTER,
Rear Admiral, United States Navy,
Director of Central Intelligence.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the concurrent resolution (S. Con. Res. 28) favoring the suspension of deportation of certain aliens, which were, on page 5, after line 5, insert "A-6611868, Diamantopoulos, Sapho"; on page 6, after line 22, insert "A-2776290, Kahn, Akram or Mohamed Akram or John Elk or Chief Running Elk"; on page 8, strike out lines 22, 23, and 24; and on page 9, after line 17, insert "A-3333079, Pirrone, Antonino."

Mr. McCARRAN. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

BIG BEND NATIONAL PARK, TEX.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 2877) to authorize the addition of certain lands to the Big Bend National Park, in the State of Texas, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. O'MAHONEY. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr.

O'MAHONEY, Mr. MURRAY, Mr. ANDERSON, Mr. BUTLER, and Mr. MILLIKIN conferees on the part of the Senate.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSTON of South Carolina. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. JOHNSTON of South Carolina, Mr. FREAR, and Mr. FLANDERS conferees on the part of the Senate.

FOREIGN AID APPROPRIATIONS SUBSTITUTION OF CONFERENCE

Mr. MCKELLAR. Mr. President, the Senator from Kansas [Mr. REED] was appointed one of the conferees on the part of the Senate on the ECA bill, H. R. 4830, making appropriations for foreign aid for the fiscal year ending June 30, 1950, and for other purposes. I am informed that he is ill, and it is the desire of the Appropriations Committee to appoint the Senator from Nebraska [Mr. WHERRY] in his place and stead. I ask unanimous consent that that may be done.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee?

Mr. CAPEHART. Mr. President, I wish to state that the Senator from Kansas [Mr. REED] is ill. He has been ordered to spend a couple of weeks in the hospital in order to recuperate from his illness.

The VICE PRESIDENT. Without objection, the substitution requested will be made.

DELIVERED-PRICE SYSTEMS AND FREIGHT-ABSORPTION PRACTICES

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Louisiana [Mr. LONG] to reconsider the vote by which the motion of the Senator from Nevada [Mr. McCARRAN] to send Senate bill 1008 to conference was agreed to.

Mr. O'CONOR. Mr. President, I assume that there is no further routine business to be transacted, and that we are prepared to proceed to the consideration of the motion of the Senator from Louisiana. I yield 30 minutes of our time to the junior Senator from Nebraska [Mr. WHERRY].

The VICE PRESIDENT. The Senator from Nebraska is recognized for 30 minutes.

Mr. WHERRY. Mr. President, at the outset I wish to express my appreciation to the distinguished junior senator from

Louisiana [Mr. LONG] and his colleagues who have worked with him in bringing to the attention of the Senate the many price discriminations which have been alleged, and the monopolistic tendencies which have existed, especially during the past few years. To my way of thinking that is an indictment against this administration for its failure, through the procedures we now have, to eliminate those practices, which have grown like an octopus throughout our entire national economy.

I agree with much that has been said relative to monopoly and discrimination. I think there is a need to overhaul our statutes. I agree with the distinguished Senators who have worked so earnestly in that direction, and I shall support them in enacting legislation to accomplish that purpose.

Mr. President, the debate on S. 1008 has gone clearly beyond the provisions contained therein.

This bill has been used as the medium by which to air wholesale violations of the Sherman antitrust laws, and the Senate, at least, momentarily, has gotten far away from the issues involved in the proposed legislation.

Much of the debate has been taken up with a discussion of collusion with respect to prices, such as was alleged against the Atlantic & Pacific Tea Co. and other large distributing companies throughout the country.

All of that is beside the point. It is entirely outside the question presented by the provisions of the proposed legislation.

The junior Senator from Nebraska is just as much in favor of overhauling and amending the Sherman Antitrust Act wherever needed as is anyone else, but with all due respect to the sincerity of my colleagues, I suggest that the floor of the Senate is not the place to attempt a general revision of the Sherman antitrust law and the Clayton Act, especially so as it is not the issue involved in the pending bill.

All that the pending bill, without its crippling amendments, is designed to do is restore the competitive conditions which were revolutionized by the Supreme Court opinion in the Cement case—an opinion which has caused great confusion among businessmen and driven them to their wits' end.

Shall all industries be compelled to price their merchandise f. o. b. factory or mill, or shall all industries be permitted as in the past to sell at a delivered price if they so choose? That is all that is involved in the bill; and unless the bill is passed, the resulting impact upon industry and especially upon the small-business men will be devastating. Many simply will have to go out of business.

Think of the millions upon millions of transactions which occur daily, and we get some idea of the complexity of our economic system. Add to that the difficulties of maintaining rules and regulations to provide for free competitive enterprise, and then we see that the problem is vastly more complicated than the duties of an umpire at a baseball game.

For years my own family in Nebraska has dealt in livestock. Sometimes our firm has sold horses f. o. b. at our farm. But on many occasions we have sold horses in competition with other sellers, and in those instances we had to deliver the horses to the buyer's farm or place of business, thereby absorbing the freight in order to make the sale.

Let us extend that sample one step further. Let us assume that John Smith, located 25 miles from my farm, wants to buy a horse. Eight or ten livestock dealers have horses for sale, all of them worth about \$100. Yet he comes to my place—perhaps because he does not like the color of the other horses. He says to me, "I would like to buy your horse. Your horse is no better than the other horses. He is worth \$100, but I cannot afford to pay the freight to my farm, which would cost me \$10." I say to him, "I will sell you the horse for \$100, and I will deliver the horse to your farm. I will pay the \$10 freight rate."

It is just as simple as that. Am I to be required from now on to price my horses f. o. b. farm? Am I to be restricted? Or may I do as other Americans have done for 100 years, and sell my horse delivered at the other man's farm if I choose?

Let us go one step further. Let us suppose that on Friday night ten livestock dealers or farmers gather around the grocery store, and there they have a cracker-box discussion about John Smith buying a horse. All 10 of them say, "John Smith is going to buy a horse from someone here. Let us make him pay \$100 for the horse." So they decide not to sell a horse unless it brings \$100. Of course, if they do that they collude among themselves to sell a horse for \$100. This is discrimination. That is a monopoly in selling horses.

But the farmer comes to me and buys a horse. I was not at the grocery store. I had no part in the cracker-box discussion about maintaining a certain price, and I sell a horse for \$90, because I pay the freight.

In keeping with the arguments advanced by the Senator from Louisiana [Mr. LONG], that is a violation of law. That is collusion. But whether this bill is passed or not, it makes no difference with respect to that violation. We have laws and procedures to prosecute such a violation. It does not come within the provisions of this bill, which would permit me to absorb the freight, if I care to do so, in delivering a horse 25 miles away at the purchaser's farm. That is all there is to it. That is all that is in the bill.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. WHERRY. I must respectfully decline to yield, because I am speaking under a limitation. I must decline to yield at this time. If I have time at the conclusion of my speech, I shall be glad to yield.

That is all there is to this bill. The competitive elements involved in whether I sold the horse f. o. b. my farm or whether I delivered it to the buyer's farm are the same competitive elements involved in the question of whether any commodity is to be sold f. o. b. the place of

production, or delivered to the buyer's place of business.

Mr. President, let us focus our attention upon the specific purpose for which the pending bill was presented. Many extraneous issues have been injected into this debate. It seems that some persons want to use this bill as a vehicle to correct all the abuses in the business world. Bogey men have been paraded, and all of them have had the effect of clouding and confusing the main issue. Misrepresentations as to what this bill would do or would not do have been spread across the country, compounding the already existing confusion caused by the Supreme Court's resolutionary opinion.

Let's keep our eyes on the ball. This Congress should not adjourn until this issue is clarified, for the dislocations in industry, the impact upon big and little businesses, and far-reaching effects upon working men and working women would be tremendous—heavy beyond measure—should the present session of Congress fail to pass this measure.

As chairman of the Senate's Small Business Committee during the Eightieth Congress, and as a minority member of the committee before that, the junior Senator from Nebraska had many problems of business to consider, problems running the range of our national economy.

No Member of this body wants to oppress the little fellow in business. By the way, Mr. President, if we really wish to help him, we should have passed this measure within 30 minutes, and then should have devoted all of these days to setting up a permanent Small Business Committee in the Senate of the United States, so as to help solve the problems of small-business men throughout the country. That is what we need; but in this Congress we have not even been permitted to raise that issue.

As I have said, we do not wish to oppress the little fellow in business. All of us want to protect the rights of independent business firms—the small men in business. They are in the great majority. In fact, they are the backbone of American industry.

The freedom of choice and freedom for fair play must be preserved if our way of life is to continue.

But the Senate cannot rewrite the antitrust laws on the floor of the Senate. That is a much more complicated task than the writing of a revenue bill.

So I urge the Senate not to be carried down byways of controversy over this or that phase of competition or activity in our national economy that have nothing to do with the bill which is before the Senate.

Confusion and bewilderment now prevail in competitive industry and business generally. Plan expansions are being deferred or canceled. I have in my files many letters to that effect—because of this confusion and the uncertainties of the future under present statutes and rulings of the Federal Trade Commission.

Congress alone can remedy this situation. It is our responsibility.

Businessmen are helpless without clear definitions of the law telling them what they can do and what they cannot do.

total would amount to \$25,000,000,000. The Government could not run for 7 months on that amount of money.

4. If every industry converted its net working capital into cash, the total would amount to \$39,000,000,000. That's hardly enough to run the Government for 11 months.

In 1932, Franklin D. Roosevelt, then a presidential candidate, had this to say about Government spending:

"Any government, like any family, can for a year spend a little more than it earns. But you and I know that a continuance of that habit means the poorhouse."

All of this leads me to ask you one question: Is there room in the poorhouse for 149,000,000 people?

Very truly yours,

Ross Roy.

AMERICAN INDIAN DAY

Mr. CHAVEZ. Mr. President, today is American Indian Day. The American Indian will be honored and saluted by the press, the radio, the general public, and even official Washington. What the American Indian actually desires is not so much empty honors, not so much saluting by the press, the radio, or the general public, or even official Washington, but to be treated as an American. He would like to see a little better showing of the characteristic fair play of the American people.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a brief statement concerning the American Indian.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CHAVEZ

On this, the 23d day of September 1949, the occasion of the observance of American Indian Day, I am more than pleased to note that the American Indian is being honored and saluted by the press, radio, the general public, and official Washington.

One of the finest tributes that can be paid to the Indian on this important day is the coast-to-coast radio program, The Song of the Tom-Tom, arranged by the Mutual Broadcasting System in conjunction with the Nation-wide Citizens Committee of the National Congress of American Indians and designed to spotlight the cultural aspects of Indian life. Delivering an address commemorating this occasion will be Chief Justice H. B. Johnson, of the Oklahoma Supreme Court, a full-blooded Cherokee Indian. Also paying their respects to the first Americans will be songstress Kay Starr, also of Indian descent, folk singer Burl Ives, Roy Rogers, and Dale Evans.

Besides these tributes, the program will acquaint the Nation's listeners with secret Indian ceremonial rites and tribal songs never before aired. Ted Robertson, producer of the Straight Arrow program, and his assistant, Ray Kemper, devoted months of research gathering these sacred Indian rituals in addition to making a special trip to the Intertribal Indian Ceremonial at Gallup, N. Mex., where thousands of Indians, members of the various North American Indian tribes, were gathered for their annual fiesta. While the Indians were celebrating their holiday, Robertson and Kemper were busily engaged recording the activities for posterity.

Perhaps all of us are not acquainted with the historical background of real-estate holdings by the Pueblo Indians of my State. The legal title to their lands are contained in land grants to the Pueblos granted as far back as Charles V and Phillip II of Spain. Those grants to the Pueblo Indians have protected them in their real property up to the mo-

ment, having been recognized under the short control of New Mexico by Mexico and by the United States. Ever since then they have lived in peace and have known that their titles could not be lost no matter how avaricious the white man might be.

So, as the United States Senator for New Mexico, a State with a large Indian population, I wish to add my thanks and congratulations to Mr. Robertson, Mr. Kemper, the Straight Arrow program, and to persons who gave their time to acquaint the American public with the cultural background of our American Indian life.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT—CONFERENCE REPORT

Mr. JOHNSTON of South Carolina. Mr. President, I submit a conference report on House bill 2944, to amend the Civil Service Retirement Act of May 29, 1930, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such Act, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows: Restore the matter proposed to be stricken out by the Senate amendment, omit the matter proposed to be inserted by the Senate amendment, and on page 2 of the House bill strike out all after the period in line 1 down through the period in line 7 and insert in lieu thereof the following:

"The life annuity of the officer or employee making such election shall be reduced by 5 per centum of so much thereof as does not exceed \$1,500, plus 10 per centum of the balance of such life annuity, and shall be further reduced by three-fourths of 1 per centum of such life annuity for each full year, if any, the designated wife or husband is under the age of sixty at the date of such retirement, but the total reduction shall in no case be more than 25 per centum of such life annuity."

And the Senate agree to the same.

OLIN D. JOHNSTON,
J. ALLEN FREAR, JR.,
RALPH E. FLANDERS,

Managers on the Part of the Senate.

TOM MURRAY,
JIMMY MORRISON,
EDWARD H. REES,

Managers on the Part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. SALTONSTALL. Mr. President, I would simply like to ask the distinguished Senator from South Carolina if it is a unanimous report, signed by all the Senate conferees.

Mr. JOHNSTON of South Carolina. It is unanimous, and is signed by all the Senate conferees.

Mr. SALTONSTALL. Does it differ very much from the bill as it was passed by the Senate?

Mr. JOHNSTON of South Carolina. It is a little less liberal than the bill as

passed by the Senate. The bill as passed by the Senate provided for a deduction of 5 percent of the amount the surviving spouse is left. The conference report would make a deduction of 5 percent on the first \$1,500 of the annuity, whatever it may be, each year; and for anything above that amount, the rate will remain the same as provided by the present law. So the conference report is not quite so liberal as the bill as passed by the Senate.

Mr. SALTONSTALL. It was agreed to by all the conferees, was it?

Mr. JOHNSTON of South Carolina. It was.

Mr. SALTONSTALL. Mr. President, I have no objection.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

ATOMIC ENERGY DEVELOPMENT IN RUSSIA

Mr. McMAHON. Mr. President, less than an hour ago the President of the United States issued a statement to the American people which is of transcendent importance. I wish to read it into the RECORD:

I believe the American people, to the fullest extent consistent with national security, are entitled to be informed of all developments in the field of atomic energy. That is my reason for making public the following information.

We have evidence that within recent weeks an atomic explosion occurred in the U. S. S. R.

Ever since atomic energy was first released by man, the eventual development of this new force by other nations was to be expected. This probability has always been taken into account by us.

Nearly 4 years ago I pointed out that "scientific opinion appears to be practically unanimous that the essential theoretical knowledge upon which the discovery is based is already widely known. There is also substantial agreement that foreign research can come abreast of our present theoretical knowledge in time" and, in the three-nation declaration of the President of the United States and the Prime Ministers of the United Kingdom and of Canada, dated November 15, 1945, it was emphasized that no single nation could in fact have a monopoly of atomic weapons.

This recent development emphasizes once again, if indeed such emphasis were needed, the necessity for that truly effective enforceable international control of atomic energy which this Government and the large majority of the members of the United Nations support.

Mr. President, I think the Senate should be informed that, as chairman of the Joint Committee on Atomic Energy, I was advised of this development at about 3:15 o'clock yesterday. Last evening I sent notices to the members of the joint committee to assemble this morning. We did assemble, with the members of the Commission and other officials who are engaged in work of an allied nature, and thoroughly discussed this subject. The committee will, of course, continue to meet after sufficient time for deliberation upon the implications, military and political, which this event brings about.

Mr. MILLIKIN. Mr. President, the news which has been given to us through the distinguished senior Senator from

Connecticut [Mr. McMAHON], and which the Chief Executive has given to the Nation—that Russia has exploded an atomic bomb—is indeed of transcendent importance. The decisions which we shall have to make flowing from that news will be of unsurpassed gravity and fatuity. I hope we may reach these decisions without fear, without hysteria, and by repelling all thoughtless clamor.

I hope the national decisions which will have to be made, however they may be made, will express the highest level of our national intelligence, our finest instincts for the preservation of the best in humanity, and that the execution of those decisions may be characterized by resolute, undeviating courage.

Mr. FLANDERS. Mr. President, some months ago I submitted a resolution which was referred to the Joint Committee on Atomic Energy. The resolution calls for a unilateral declaration on our part that we will not use the atomic bomb unless it is used against us. Supposing this news to be true, I would now be inclined to suggest that we enter into negotiations with Russia looking to an agreement that neither nation shall use the atomic bomb unless attacked by it.

THE VICE PRESIDENT. The Chair assumes that the routine matters referred to in the unanimous-consent agreement are disposed of, and that the matter now before the Senate is House bill 5007. Discussions will proceed on that basis, regardless of the subject.

Mr. McMAHON. Mr. President, I have been aware, since its introduction, of the resolution which has been mentioned by the Senator from Vermont. This is probably as good a time as any to point out that the United States Congress does not need at this late date, nor was it necessary at the time the distinguished Senator offered the resolution, to point out to all the world that the Government of the United States had indicated forthrightly and squarely to all the world that what we wanted to do with atomic energy was to employ it for the benefit of mankind, not for its destruction. I merely make that observation because I think it is important to point out that we did rise to the heights of moral leadership at a time when conditions seemed to demand it, and we did not let 2 or 3 or 4 years go by before we initiated our effort. The great English Socialist, Laski, who certainly bears us no great friendship, was compelled to testify, when we made known our proposals for international control, that one of the finest pages ever written by any country in the history of mankind had thus been written by these proposals. We said to all the world, "Here it is. Let us make use of it together. All we ask are effective safeguards that it shall not be used to destroy us."

No, Mr. President, our record in this field cannot be challenged or gainsaid. Thank God, now that the time has come which some of us foresaw would come, we can, in the wise words uttered by the Senator from Colorado [Mr. MILLIKIN], proceed to the deliberation of this matter in a way that will do us credit, with nothing whatsoever to be ashamed of in our past.

I can only reiterate the plea of the Senator from Colorado that there be no hysteria.

I wish to reemphasize that our entire atomic program has been based upon the assumption that this very thing would come to pass, because we knew it would come to pass. I call attention to the fact that in 1943, as divulged by the Canadian spy trials, the masters of the Kremlin were busily engaged at that time in securing what knowledge they could of this great secret of nature's. Of course it is only to be observed that probably they started their project at that time.

Mr. President, I think that concludes at this time what I have to say on this subject, but I wish again to point out to the Senate that, as individual Senators and as citizens of the United States, of the record thus far written we can be decidedly proud.

Mr. SALTONSTALL. Mr. President, the chairman of the Armed Services Committee is absent. I am a member of that committee. I have listened with a great deal of respect to what the Senators from Connecticut and Colorado have said, and I concur in their statements. The question they have discussed naturally brings to our minds the question of defense. I can only say as a member of the Committee on Armed Services, from the many meetings of that committee which I have attended, in the Pentagon and in the Capitol, that I believe our military leaders are proceeding with deliberateness, with intellectual capacity, with efficiency, and with courage, to plan the defense of this country in any emergency, including the emergency which may be brought more to the fore by the knowledge we have received this morning. I believe the information as to this new development will cause no particular change in their minds, and occasion them no great surprise, and that we may have complete confidence in their proceeding with the defense and security of our country in a way that will give all of us the greatest possible confidence.

Mr. CAIN. Mr. President, I wish to take but a moment. Throughout the debate on the arms-to-Europe proposal, which to my mind was both unduly limited and inadequate, I was troubled, as a citizen and as a Senator, because I thought we were working in a vacuum; we were not in possession of all the facts on which a completely adequate decision could be made for the benefit of the country and the world. Since the Senate passed the military assistance bill, not a day has passed until we have laid before us a bolt of information so pregnant, so delicate and complicated that it undeniably would have changed what we did yesterday.

I should like to say, as one who thinks we live in an age in which the survival of humanity itself is at stake, that in the future any branch of the Government, or any individual within any branch, either executive or legislative, which has in its possession any information on which accurate decisions must be based should lay it before this body in time for us to consider it before taking action, as we

did yesterday; not knowing in that instance what we did or where this Nation and the other countries of the world were going.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. CAIN. I am pleased to yield.

Mr. McMAHON. I will only say to the Senator from Washington that the news which has been divulged now reinforces the belief of the Senator from Connecticut that he voted wisely yesterday.

Mr. CAIN. If the Senator will permit me to respond briefly, I have a perfect understanding of the integrity and views of the Senator from Connecticut. The point I was making, however, is that most Senators, having no knowledge whatever of the announcement which the President was to make this morning, voted yesterday, without information adequate to the task. If we keep on doing that, I wish to state, not alone to my friend, the Senator from Connecticut, but to every other Senator and to every other American citizen, we are going to make mistakes for which there will be no excuse and from which there will be no escape. Any decision which overlooks or ignores facts is a decision not to be trusted. If the President has known for days that the Russians possessed an atomic weapon, I think it incredible that he did not so advise the Senate.

Mr. McMAHON. Did the Senator ever think of the possibility that, had the announcement been made yesterday, which the Senator claims might well have been made, it would have influenced the vote taken at 6 o'clock last night? Does the Senator also realize that the President had to be definitely assured by his advisers as to the definiteness of the information, before making an announcement of this kind and character?

Mr. CAIN. Permit me to say to the Senator that if the information, as released by the President this morning, was a fact, regardless of what anyone would have thought about it in terms of influence, that information ought to have been laid before the Senate before we decided to pursue a course of new and dangerous action for this country and the world.

MILITARY PAY BILL

The Senate resumed the consideration of the bill (H. R. 5007) to provide pay, allowances, and physical disability retirement for members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, Public Health Service, the reserve components thereof, the National Guard, and the Air National Guard, and for other purposes.

THE VICE PRESIDENT. The Chair is advised committee amendments are pending. Does the Senator from Kentucky or the Senator from Illinois wish the committee amendments to be considered first?

Mr. LUCAS. I think perhaps we should start on the committee amendments, if that is agreeable.

THE VICE PRESIDENT. Without objection, and in accordance with the custom and precedents, the committee amendments will be considered first, before other amendments are offered. The

AMENDING THE CIVIL SERVICE RETIREMENT ACT OF
MAY 29, 1930

SEPTEMBER 26, 1949.—Ordered to be printed

Mr. MURRAY of Tennessee, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H. R. 2944]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

Restore the matter proposed to be stricken out by the Senate amendment, omit the matter proposed to be inserted by the Senate amendment, and on page 2 of the House bill strike out all after the period in line 1 down through the period in line 7 and insert in lieu thereof the following: *The life annuity of the officer or employee making such election shall be reduced by 5 per centum of so much thereof as does not exceed \$1,500, plus 10 per centum of the balance of such life annuity, and shall be further reduced by three-fourths of 1 per centum of such life annuity for each full year, if any, the designated wife or husband is under the age of sixty at the date of such retirement, but the total reduction shall in no case be more than 25 per centum of such life annuity.*

And the Senate agree to the same.

TOM MURRAY,
JIMMY MORRISON,
EDWARD H. REES,
Managers on the Part of the House.

OLIN D. JOHNSTON,
J. ALLEN FREAR, Jr.,
RALPH E. FLANDERS,
Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Subsection (b) of section 4 of the Civil Service Retirement Act of May 29, 1930, as amended, provides that the annuity of an officer or employee electing the survivorship benefits of such subsection shall be equal to 90 percent of the annuity such officer or employee would otherwise receive. The House bill did not change this provision. The Senate amendment increased the annuity payable under this subsection to 95 percent of the full annuity.

The House recedes with an amendment which provides that the annuity of an officer or employee electing survivorship benefits shall be reduced by 5 percent of the first \$1,500 of such annuity, plus 10 percent of the balance of such annuity.

TOM MURRAY,
JIMMY MORRISON,
EDWARD H. REES,

Managers on the Part of the House.



make that statement at this time? Because he wanted us to give \$1,400,000,000 to arm all the countries signatory to the Atlantic Pact, one of the most ridiculous and asinine things a nation could do. We talk war and get ready for war and we all want peace.

What would happen if Russia came over here and armed Cuba? What would happen if Russia came over here and armed Mexico? It would be like sticking a dagger right into the heart of our Nation. We would be suspicious and skeptical of her motives.

I think it is the most untimely thing that could happen to the American people. I ask that the House of Representatives not yield on the question of increasing the authorization for these arms. We should not give them a nickel to arm any foreign country in peacetime. War, war, war is inevitable if you arm those foreign countries, and eventually the arms may be used against us.

You armed Russia to the tune of \$12,500,000,000 under lend-lease; you gave China over \$2,000,000,000 to arm themselves. Do you wish now we had not? Why is not that lesson enough? Do not let the President scare the American people to go along with such a scheme. Every Member of Congress who votes for it will surely rue the day. God save America; give us the spirit of brotherly love; help us to help ourselves and keep our nose out of foreigners' troubles and attend to our own business.

PERMISSION TO ADDRESS THE HOUSE

Mr. GRANT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

NATIONAL FARMERS' DAY

Mr. GRANT. Mr. Speaker, I have today introduced a joint resolution requesting this Congress to authorize and designate a national day, emphasizing the importance of agriculture, to be known as Farmers' Day.

From time to time the Congress has authorized and set apart certain days of the year in commemoration of the birthday of some great person, or has designated certain days in commemoration of special events in the history of our Nation.

In 1894, the first Monday of September in each year was made a legal public holiday to be known as Labor's Holiday. While those who follow the pursuits of agriculture are laborers, the day has in actual practice come to be celebrated more by the industrial worker. The farmers of the Nation are glad that such day has been designated and they often join with their fellow workers in the celebration of this day.

The Legislature of the State of Alabama recently approved the following Senate joint resolution:

Whereas a well-balanced economic development of this Nation is essential to the present and prospective general welfare of all the people; and

Whereas the present and prospective development of a balanced economy demands the encouragement and development of all agricultural pursuits and enterprises; and

Whereas the continued development and well-being of the entire country depends on a sound agricultural program on parity with other pursuits; and

Whereas agricultural groups should have equal recognition and encouragement along with all other national groups and interests: Therefore be it

Resolved by the senate (the house of representatives concurring)—

- That the Congress is hereby respectfully urged to enact legislation looking to the establishment of a national day emphasizing the paramount importance of agriculture, to be known as Farmers' Day, in recognition of the importance of agriculture in a balanced national economy.

- That a duly attested copy of this resolution be sent by the Secretary of State to the Secretary of Agriculture, Speaker of the House of Representatives, President pro tempore of the Senate and to the Members of the Congress from Alabama.

Approved September 17, 1949.

While agriculture has always been the basic wealth of our Nation, its true importance has not been recognized by Congress and the Nation generally until the past few years. We all know and recognize that if this Nation is to be prosperous, that we must have a prosperous agriculture. A panic, or recession, is first felt in the agricultural sections of the Nation, and then certainly but surely it expands and extends to the industrial sections. When the farmer makes money, he freely spends it for goods manufactured in other parts of the Nation. A prosperous industrial section cannot exist without a prosperous agricultural nation. When an unbiased history is written of the late war, it will give the farmer proper credit for the part that he played in the victory. This can be done without reflecting upon the great work done by others in the industrial sections.

While it is true that we could not have armed our fighters and those of our allies without the great records of production on the assembly lines which turned out jeeps, arms, airplanes, ships, and other munitions of war, at the same time these could not have been produced were it not for the fact that the farmers of the Nation were producing the food and fiber that were sent to the front and which was consumed by those in the industrial sections. This production, which was in ever mounting tonnage, was produced under great handicaps, because many young men from the farms were at the front, and old men, women, and children came to the rescue. There was a great shortage of fertilizer, farm equipment, and other necessities used by the farmers, but in spite of these handicaps and by hard work, they met the challenge by increased production.

So it is fitting and proper that some day during the year be set aside in order that the Nation may pay tribute to the tillers of the soil. The first Wednesday of each October is only a suggested day. It would be practically impossible to set aside any certain day in the year that would apply equally to all sections of the country; however, the early fall is gen-

erally the harvest season of the year. If anyone has other dates to suggest, I am sure that the committee to which this resolution is being referred will be glad to hear from them.

EXTENSION OF REMARKS

Mr. WILLIAMS (at the request of Mr. DAVIS of Georgia) was given permission to extend his remarks in the RECORD and include extraneous matter.

PERMISSION TO ADDRESS THE HOUSE

Mr. GORDON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

HON. ANTON MACIEJEWSKI

Mr. GORDON. Mr. Speaker, the news of the untimely death of Hon. Anton Maciejewski on Sunday September 25 comes with a shocking suddenness, and brings grief and regret to all who were associated with him in the Seventy-sixth and Seventy-seventh Congresses.

My sincere sympathy goes to his widow and to his family, and I think we all join in the sentiment that his life and character may be always a sustaining memory to them.

MUTUAL DEFENSE ASSISTANCE ACT OF 1949

Mr. KEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5895) to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing military assistance to foreign nations, with amendment of the Senate thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman whether this is the bill which was passed in the other body on Friday relative to the appropriation of \$1,400,000,000 to arm foreign nations?

Mr. KEE. This is the military-assistance bill.

Mr. RICH. What is going to be the attitude of the conferees on the part of the House so far as insisting on the amount which we voted for here? Or are we going to agree to give the other body their way in voting for \$1,400,000,000 for that purpose? It is just \$1,400,000,000 too much.

Mr. KEE. I can only speak for one conferee of the House, and I do not desire to comment on his attitude. And I could not possibly comment on the attitude of the other members.

Mr. RICH. I heard on the radio yesterday that one of the Members of the other body, who is a leader over there, said he is going to stick up for the full amount of \$1,400,000,000 to arm all these countries of the North Atlantic Pact and that is in the face of a statement made by the President that they have an

atomic bomb now in Russia. If there is anything that would make a country use an atomic bomb on any other country, this bill that you are putting through is the very thing that will do it. It is inflaming all the world now. Instead of talking peace, peace, peace, you are going to get us into war, war, war, if you put this bill through. You ought to know better. The House of Representatives ought to know better. The Senate of the United States ought to know better. The President of the United States ought to know better. We ought to try to get peace in a peaceful way instead of trying to arm all the countries of the world. That surely means war. Mr. Speaker, it is wrong to pass such legislation as this. You know it. The President knows it, and so do all sensible thinking people. Yet you talk war and want peace.

In the name of good common sense, let us hold it up. Stop our arming the world.

Mr. Speaker, I think we ought to object to this bill going through. I want to know whether the conferees are going to pass this legislation and agree to this \$1,400,000,000. I do not want any more warmongering in this Nation of ours. You have been doing it too long.

Mr. Speaker, therefore, I object. Let us stop it. Let us stop it now.

CONVEYANCE OF LAND TO NORFOLK COUNTY TRUST CO. IN STOUGHTON, MASS.

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5356) to provide for the conveyance of land to the Norfolk County Trust Co. in Stoughton, Mass., with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 4, after "sell", insert: "at an appraised fair market value."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. WHITTINGTON]?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, this Senate amendment provides that the Government shall get a fair value for the property, and I have no objection to that at all.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

AID TO STATES IN FISH RESTORATION AND MANAGEMENT PROJECTS

The SPEAKER laid before the House the following request from the Senate of the United States:

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 1746) entitled "An act to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes."

The SPEAKER. Without objection, the request of the Senate is granted.

There was no objection.

EXTENSION OF REMARKS

Mr. TABER asked and was granted permission to extend his remarks in the RECORD and include the monthly economic letter of the Northeast Foundation.

PERMISSION TO ADDRESS THE HOUSE

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

THE FISCAL SITUATION

Mr. TABER. Mr. Speaker, I am placing in the RECORD the monthly economic letter to the Northeast Farm Foundation because it shows how the enormous spending that is going on in this country is affecting the ordinary citizen. I hope that everyone will read it. Unless we take it upon ourselves to hold back and reduce these appropriations that have been made and that are being proposed, the United States is going to run in the red for the fiscal year 1950 at least \$5,000,000,000. We cannot raise our taxes any higher than they are now. The burden upon the ordinary citizen is getting to the point where the deficit alone is running to the tune of \$35 a year for every man, woman, and child in the United States. It is about time that the Congress of the United States woke up and began to realize its responsibilities.

The SPEAKER. The time of the gentleman from New York [Mr. TABER] has expired.

CIVIL SERVICE RETIREMENT ACT

Mr. MURRAY of Tennessee submitted the following conference report and statement on the bill (H. R. 2944), "An act to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act," for printing in the RECORD:

CONFERENCE REPORT (H. REPT. NO. 1339)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows: Restore the matter proposed to be stricken out by the Senate amendment, omit the matter proposed to be inserted by the Senate amendment, and on page 2 of the House bill strike out all after the period in line 1 down through the period in line 7 and insert in lieu thereof the following: "The life annuity of the officer or employee making such election shall be reduced by 5 per centum of so much thereof as does not exceed \$1,500, plus 10 per centum of the balance of such life annuity, and shall be further reduced by three-fourths of 1 per centum of such life annuity for each full year, if any, the designated wife or husband is under the age of sixty at the date of such retirement, but the total reduction shall in no case be

more than 25 per centum of such life annuity." And the Senate agree to the same.

TOM MURRAY,
JIMMY MORRISON,
EDWARD H. REES,

Managers on the Part of the House.

OLIN D. JOHNSTON,
J. ALLEN FREAK, JR.,
RALPH E. FLANDERS,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Subsection (b) of section 4 of the Civil Service Retirement Act of May 29, 1930, as amended, provides that the annuity of an officer or employee electing the survivorship benefits of such subsection shall be equal to 90 percent of the annuity such officer or employee would otherwise receive. The House bill did not change this provision. The Senate amendment increased the annuity payable under this subsection to 95 percent of the full annuity.

The House recedes with an amendment which provides that the annuity of an officer or employee electing survivorship benefits shall be reduced by 5 percent of the first \$1,500 of such annuity, plus 10 percent of the balance of such annuity.

TOM MURRAY,
JIMMY MORRISON,
EDWARD H. REES,

Managers on the Part of the House.

VETERANS' HOSPITAL FOR NEGRO VETERANS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6034) to provide for the establishment of a veterans' hospital for Negro veterans at the birthplace of Booker T. Washington in Franklin County, Va.

The Clerk read the title of the bill.

Mr. RICH. Mr. Speaker, reserving the right to object, what is the bill?

Mr. RANKIN. This is the Booker Washington Hospital bill.

Mr. McCORMACK. I may say that the gentleman from Mississippi has conferred with the gentleman from Massachusetts. The bill is a deserving one.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is hereby authorized and directed to acquire at the birthplace of Booker T. Washington in Franklin County, Va., a suitable site and erect thereon a hospital for Negro veterans.

Sec. 2. The sum of \$5,000,000 is authorized to be appropriated for the purpose set forth in section 1 of this act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McCORMACK asked and was given permission to extend his remarks

tion that was not done correctly under WPA. This bill will provide the necessary authorization to complete the project by the Bureau of Reclamation.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. RICH. Was this started by WPA without the advice and consent of the Bureau of Reclamation?

Mr. D'EWART. It was under the WPA program, the relief program, started several years ago. I am not advised as to that particular point.

Mr. RICH. Does the Bureau of Reclamation now recommend that the projects be completed?

Mr. D'EWART. The Bureau of Reclamation definitely recommends the completion of the project. In fact, it is about two-thirds or three-quarters completed now. Without this authorization and an accompanying bill that is in the agricultural bill, we cannot complete the project. The one that is in the Committee on Agriculture has to do with the transfer of credits with regard to the construction of buildings and homes on the tract.

Mr. RICH. Will this be transferred to the Bureau of Reclamation, to look after, after it is completed?

Mr. D'EWART. It will be transferred to the Bureau of Reclamation for repayment.

Mr. MURDOCK. The bill has been reported unanimously by the Committee on Irrigation and Reclamation of the House.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to complete the construction of irrigation facilities, including necessary drainage works, on the first and second divisions of the Buffalo Rapids project, Montana, as approved by the President under authority of the act of May 10, 1939 (53 Stat. 635), and the act of October 14, 1940 (54 Stat. 1119), as amended: Provided, That of the funds heretofore or hereafter expended for such construction an amount equal to \$60 per irrigable acre as determined and announced by the Secretary of the Interior upon completion of the project shall be reimbursable by the water users over a repayment period of not to exceed 60 years, and provision for the recovery thereof and for payment of the operation and maintenance costs of the irrigation and drainage features of the project shall be made by a contract or contracts satisfactory to the Secretary of the Interior.

Sec. 2. To carry out the purposes of this act, the Secretary of the Interior is hereby authorized to allot any moneys available from appropriations heretofore made to the Department of the Interior for "water conservation and utility projects" and "water conservation and utilization projects," and there is hereby authorized to be appropriated to the Department of the Interior, out of any money in the Treasury not otherwise appropriated, such sums of money as may be necessary to complete the project.

The bill was ordered to be read a third time, was read the third time, and passed,

and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

AMENDING THE CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930

Mr. MURRAY of Tennessee. Mr. Speaker, I call up the conference report on the bill (H.R. 2944) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House, September 26, 1949.)

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN FORMER EMPLOYEES OF THE FOREIGN ECONOMIC ADMINISTRATION

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H.R. 1950, for the relief of certain consultants formerly employed by the Technical Industrial Intelligence Committee of the Foreign Economic Administration, and for other purposes, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, strike out lines 14 and 15 and insert:

"Sec. 3. No certificate or statement as to such items furnished such employees shall be required of them: Provided, That this section shall not be construed to waive the filing by such employees of any certificate or statement required to be submitted under existing law or regulations with reference to per diem allowances exclusive of such items as defined in section 1."

Page 5, line 9, after "items", insert "and shall be made within 1 year after the enactment of this act."

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FOREIGN AID BILL

Mr. GARY. Mr. Speaker, I call up the conference report on the bill, H.R. 4830, making appropriations for foreign aid, for the fiscal year ending June 30, 1950, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

(For conference report and statement, see proceedings of the House of September 28, 1949.)

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. GARY. I shall be glad to yield.

Mr. RICH. This conference report deals with the bill appropriating money for ECA, does it not?

Mr. GARY. Yes.

Mr. RICH. What amount have the conferees brought back to the House?

Mr. GARY. I shall make a complete explanation of the conference report, and I now yield myself 20 minutes for that purpose.

The SPEAKER. The gentleman from Virginia is recognized for 20 minutes.

Mr. GARY. Mr. Speaker, I doubt if there has been a single bill before the Congress this session that has been deliberated as carefully as the measure now before you. I notice from the papers of yesterday that it was reported that the House had completely capitulated to the Senate and that the conference report is a great Senate victory. I am not here to claim victory for either side. I do want to say to the House, however, that your managers did not capitulate to anybody. This bill has been in conference for 2 months. The conferees have had numerous sessions. I think the results which we present to you today can be called an honest and reasonable compromise of the differences between the two Houses of Congress.

Mr. Speaker, this bill contains several items. In the first place it embraces appropriations for the Economic Cooperation Administration for the last half of the last quarter of the fiscal year 1949. The budget request for that quarter was \$1,074,000,000.

When the bill left the conference that quarter had ended. We knew the exact expenditures. They consumed approximately \$1,074,000,000. Therefore, the Senate made no changes in that figure and the figure as it appears in the conference report is exactly as it was enacted by the House and approved by the Senate without any change.

The next item was appropriations for the ECA for the fiscal year 1950. It will be recalled that the House cut the estimates on those appropriations approximately \$600,000,000. The House appropriated for the ECA for the fiscal year 1950, \$3,568,470,000. You will recall that there was considerable debate on the floor of the House as to the propriety of cutting the funds by that amount. We finally agreed to allow the funds to remain as reported out of the committee with a cut of \$600,000,000, but placed a provision in the bill allowing the Administrator, with the approval of the President, to spend these funds within 10½ months if it became necessary.

When the bill reached the Senate that body increased those figures in cash approximately \$60,000,000 and made a cash appropriation of \$3,568,380,000, and, in addition to that, it authorized loans from the Treasury of \$150,000,000. Those Treasury loans will be advanced to the ECA on loans that the ECA makes to these countries on self-liquidating proj-

ects, or at least on security. They are really loans.

This increased the House figures approximately \$210,000,000, but the Senate struck out of the bill the provision permitting the Administrator to spend these funds in 10½ months, if necessary, so that the Senate appropriation was placed entirely on a 12-month basis. As a matter of fact, when we go into the conference we all agreed that a 12-month basis was preferable, and consequently on that item there never was any real dispute as to those funds. The House accepted the Senate figures. The real dispute came over two items in the bill.

You will recall that the House definitely instructed its managers that it should insist upon abolition of the so-called watchdog committee. That is the joint committee of the Senate and the House which was created last year to watch the activities of the ECA. That committee had allotted to it last year two hundred and sixty and some odd thousand dollars. They asked this year for, and the Senate allotted them, \$344,000. Your conferees felt that this committee was unnecessary. The House felt that it was unnecessary, because it instructed us to fight for its abolition. I want to say to you that I do not think any managers ever carried out the instructions of the House with greater force than did your managers in this instance, but we finally reached an impasse, and we got to a point where this one item of the watchdog committee was blocking any agreement upon the entire bill. We got this concession, and here is what we decided on. Instead of giving them \$344,000 to operate on next year, we in this bill gave them \$110,000 to liquidate, and it is definitely understood and provided and written into the bill that the committee shall liquidate its activities as of June 30, 1950. It is also definitely understood that they shall liquidate this committee next year. Obviously, you just cannot abolish this committee overnight. They have their agents all over the world, in Europe and in other sections, checking up on the ECA. Those people have got to be brought back home. The affairs of the committee have got to be settled in an orderly manner. We feel that the amount allowed in this bill, rather than perpetuating this committee, simply gives it an opportunity to liquidate its activities in an orderly process.

There was one other feature in this bill over which there was some controversy, and there it was not a question of the amount. It was more a question of the principle involved. The Senate had put in a clause providing that \$25,000 of the appropriation might be used to resurvey of that entire question. The in Germany. That, today, is one of the most highly controversial questions in the entire European situation. As a matter of fact, a survey was made by General Clay when he was in charge in Germany. They decided that certain plants should be dismantled. When we created the ECA, the Congress insisted on a resurvey of that entire question. The Economic Administrator, Mr. Hoffman,

appointed one of the ablest committees that he could find in this country to go over and make a study. That committee went over and made a study; it made a report. The United States alone does not control that problem. It is a problem that has to be decided in conference with Great Britain and with France. But, as the result of this resurvey a new agreement was entered into, whereby 159 plants that had been previously ordered to be dismantled were permitted to remain. Now, as to the \$25,000 that was put into this bill, it was doubtful under this language whether it would require the ECA to go back and make a resurvey. If it is necessary, it ought to be done. But, the House conferees felt that this was largely an administrative matter and that the House should not dictate to the ECA officials as to what they should do in this matter; consequently, we finally agreed upon the language which reads as follows: "of which not more than \$25,000 shall be available to the Administrator for any further action he may consider advisable to carry out the provisions of section 115 (f) of the Economic Cooperation Act of 1948, as amended by the Act of April 19, 1949."

That means that we appropriate the \$25,000, but we leave it entirely within the discretion of the Administrator as to whether or not it shall be used, and as to whether the resurvey shall be made.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Pennsylvania.

Mr. RICH. Since the report that was made in reference to the dismantling of these plants, if we do not have the real authority to prohibit that, are they working with Great Britain and France now to permit them to let those plants remain?

Mr. GARY. That is a very live question in Europe at the present time. I can assure the gentleman that the State Department, the ECA, and all the agencies dealing with foreign aid are giving their best attention to it and collaborating with Great Britain and France with reference to its proper solution.

Mr. RICH. This committee that you have watching the spending of this money—

Mr. GARY. Not that we have; that the Senate has.

Mr. RICH. You are going to liquidate that committee?

Mr. GARY. Yes.

Mr. RICH. Was not the committee of any service in trying to keep from squandering the money that we have given to these people for certain purposes?

Mr. GARY. The House subcommittee that handled this bill and others in the House have been unable to see that any benefits at all have been derived from that committee. For that reason, we insisted upon its abolition, and the House sustained us, because we had a vote on it in the House and the managers were instructed to insist that the committee be abolished.

Mr. RICH. The gentleman is satisfied now that the Director of ECA is spend-

ing this money to advantage, but to the advantage of whom?

Mr. GARY. I personally am satisfied that he is spending this money in the best interest of the United States and of world recovery. I do not know of any person for whom I have greater respect, particularly as to his ability, than Mr. Hoffman, who is the Administrator of the ECA. I think he has an exceptionally efficient organization. He has able staff members. In my judgment he is doing a magnificent job in the administration of these funds.

Mr. RICH. I understand the sum total is \$3,628,000.

Mr. GARY. I have not finished. I have several other items to discuss. Then I will give the sum total.

Mr. RICH. That is to be spent in either 10½ months or 12 months, as the Administrator sees fit?

Mr. GARY. The 10½ months provision is out. It is now for 12 months.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. CASE of South Dakota. When the Select Committee on Foreign Aid came back from Germany and Austria they made a specific recommendation with reference to this dismantling program. Following that the House adopted a resolution of inquiry which went into this matter, and they did that after getting some unsatisfactory responses. I am a little surprised to find that the gentleman says that it is now made permissive rather than mandatory to continue this survey of this dismantling program.

We used to have an expression out our way that he who pays the fiddler calls the tune. I am disturbed to have the gentleman from Virginia say that the United States cannot exercise a very potent voice in this dismantling program. We put up 90 percent of the dollar cost that Britain had when we took over the English zone. In addition to taking that over, here we provide this whole program of foreign aid. I am unable to understand why we cannot specifically say that the dismantling program, which interferes with the recovery of western Europe and increases the bill that we pay, shall be suspended.

Mr. GARY. The gentleman misquoted me. I did not say the United States did not have a potent voice. I said it was a matter to be decided in agreement with Great Britain and France. There have been numerous conferences on the subject. I think the problem will be worked out to the entire satisfaction of all parties. Certainly, insofar as this bill is concerned, the provision which has been written into the bill by the conferees will permit that to be done.

Mr. CASE of South Dakota. What assurance did the gentleman get from Mr. Hoffman as to the policy to be followed? Is the Humphrey committee continued?

Mr. GARY. The committee got no assurances. It asked Mr. Hoffman for no assurances with respect to this matter. It has to be handled by the Administrator of ECA, that is, by the new United States Administrator in Germany, Mr.

[PUBLIC LAW 310—81ST CONGRESS]

[CHAPTER 588—1ST SESSION]

[H. R. 2944]

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 (b) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

“(b) Any officer or employee retiring under the provisions of section 1, 2, or 6 of this Act may, at the time of retirement, elect to receive in lieu of the life annuity described herein a reduced annuity and an annuity after death payable to his or her surviving widow or widower designated by such officer or employee at time of retirement equal to 50 per centum of such life annuity. The life annuity of the officer or employee making such election shall be reduced by 5 per centum of so much thereof as does not exceed \$1,500, plus 10 per centum of the balance of such life annuity, and shall be further reduced by three-fourths of 1 per centum of such life annuity for each full year, if any, the designated wife or husband is under the age of sixty at the date of such retirement, but the total reduction shall in no case be more than 25 per centum of such life annuity. The annuity of such widow or widower shall begin on the first day of the month in which the death of the officer or employee occurs or the first day of the month following the widow's or widower's attainment of age fifty, whichever is the later, and such annuity or any right thereto shall terminate upon his or her death or remarriage.”

Approved September 30, 1949.



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